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[Document A.]

BY THE HOUSE OF DELEGATES,

January 7th, 1864.

Read and 5,000 copies ordered to be printed.

MESSAGE

OF THE

GOVERNOR OF MARYLAND,

TO THE

GENERAL ASSEMBLY.

JANUARY SESSION, 1864.

ANNAPOLIS:
BULL & TUTTLE.
1864.

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MESSAGE.

Gentlemen of the Senate and
of the House of Delegates:

You have assembled in obedience to the command of the Constitution to consider such subjects as require Legislative action, and looking back upon the time that has intervened since your predecessors in office last assembled, it may be safely affirmed that no similar period since the foundation of our Government has been crowded with events of such magnitude and importance.

Although these events are sadly calculated to vary the usual tenor of the congratulations with which the Executive has been accustomed to greet the General Assembly at the opening of every Session, and we can no longer, as of old, recur to the peaceful and prosperous career of the country, as evidence of the Almighty's favor; although the reckless ambition of unprincipled politicians instigating a wicked rebellion has involved us in a civil war of frightful extent, compelling a sacrifice of the best and bravest of the nation to maintain its existence, that very war deplorable as it is, has developed elements of national power hitherto scarcely comprehended, and furnished substantial cause of thankfulness to Almighty God and congratulations to each other.

Such a record of the rapid, resolute and successful production from domestic recources, of all the means and material of war, as the history of the last two years exhibits, is not to be found in the annals of any nation, whilst the sucess with which these materials have been wielded in restoring the power of the Government over State after State of those lately defying its authority, authorizes the hope, that without some abrupt departure from our past policy or misapplication of these abundant resources, the day is not distant when we shall witness such a restoration in them all.

If the history of the last two years affords us in its connection with the progress and prospects of the nation, such cause

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of congratulation and hope, it furnishes a retrospect not less cheering as we recur to the position which our own State then assumed and has continued so steadfastly to maintain.

The temptations to a contrary course were such as few others were required to encounter, and made the more formidable by the artful arrangement and exaggeration of them covertly prepared and most adroitly presented. These temptations were made to present strong appeals to personal feelings and private interests; they appealed to our kindred institutions; they appealed to our social ties and personal sympathies, and they appealed to our intimate commercial relations, but discarding or sundering them all, our State, upon the first opportunity, declared her adhesion to the Union, and in spite of ordeals to which none others have been subject, she cleaves to it to-day with an enduring affection that is indissoluble.

The condition of the country growing out of the existing war, and the new interests and obligations of the State resulting therefrom, devolve upon you additional duties that will demand your prompt and constant attention. In view of this important increase of the ordinary subjects of Legislation, and of the limited term of your session, I may be permitted to remind you of, and caution you against a practice which has too frequently prevailed, of postponing until the latter days of the Session, subjects of a paramount public importance, whilst questions of a local and subordinate interest are suffered chiefly to engross the earliest attention, An opposite course would not only afford an opportunity for the proper consideration of important measures such as they seldom enjoy, but would contribute to your own comfort and convenience by relieving the close of your term of much of that accumulated burden of important bills, that scarcely leaves any alternative but to pass them without the proper consideration or not pass them at all.

THE FINANCES OF THE STATE.

The Report of the Comptroller of the Treasury, with its details of the State Finances, presents such an exhibit of the condition of that Department as is calculated to afford great satisfaction. Before, however, adverting to these details a reference to some subjects connected with them will enable you the better to understand them. By an Act of Congress, approved August 5th, 1861, imposing an annual direct tax upon the several States to aid in support of the war, the amount assigned to this State, as its annual quota, was $436,823.33, from which fifteen per cent. was to be deducted in case the State assumed and promptly paid the Tax. The Legislature of 1862 assumed the payment of this Tax, and to provide for

it punctually, the Act of 1862, Chapter 143, was passed, which authorized the Governor, Comptroller and Treasurer to unite in inviting proposals for a loan to an amount not exceeding two and a half millions of dollars—one half of which was reserved for investment of the increments of the Sinking Fund, and the residue, or as much as might be required, was to be offered for subscription outside the Treasury.

Although that Department exhibited early in the Summer of 1862, such indications of an improved condition as to warrant the belief that but a small portion, if any of the authorized Loan would be required, yet the importance of providing for the prompt payment of that Tax at the appointed time to save the proposed discount, induced the officers above mentioned, to advertise for a small portion of it. Stock therefore to the amount of $170,000, known as the "Maryland Defence Loan" was issued, which being all disposed of at a premium realized to the Treasury the sum of $173,587.75.

This Stock as directed by the Act authorizing it, was redeemable at the pleasure of the State, and in a few months after its issue it became manifest that the Treasury from its own resources, and without even the use of the increments of the Sinking Fund, would be able to meet the payment of the National Tax, and that no Loans for such purpose, were necessary, and such as had been negotiated might be safely repaid.

Although the stock was upon its face redeemable at the pleasure of the State, it was a question whether, without some Legislative Act expressive of that pleasure, the State Officers, who had negotiated the Loan, had the right, and without the consent of the holder, to redeem it by payment of the amount due upon its face with the interest accrued. Rather than pay interest until the next Session of the Legislature upon a sum not required by the Treasury, I concurred in the propriety of that Department offering to pay back to the holders of the Loan, the amount of premium which they had paid on it, which proposal they accepted, and the whole amount of that stock was consequently redeemed on these terms, costing the State only the interest thereon for the few months of its existence. The nett amount of the National Tax therefore due from the State for 1862, and which was $371,299.83, was paid into the Treasury of the United States before the 30th of June of that year, and without making any addition whatever to the debt of the State.

The Total Receipts of the Treasury for the year ending

30th of September 1861, were	$ 960,813.08
30th of September 1862, were	1,823,563.87
30th of September 1863, were	1,870,105.72

The Total Disbursements for the year ending

30th of September 1861, were	$1.046,356.41
30th of September 1862, were	1,546,859.10
30th of September 1863, were	1,286,327.44

For the purpose, however, of a fair comparison of the receipts and disbursements of these several years, we must deduct from the aggregate of receipts, such sums as accrued from extraordinary sources of revenue in the two latter years, and which did not exist in 1861, and on the other hand from the aggregate of Disbursements in the same years such sums as were expended in consequence of war appropriations, and in payment of the public debt, and did not come within the scope of any similar disbursements in 1861.

To reduce the above aggregates by these means to the proceeds of the ordinary sources of income common to the three years, we must deduct from the receipts of 1862, the sum of $173,587.75, received on the Loan aforesaid of that year, and the further sum of $200,000, the amount realized during the same year, according to the Comptroller's estimate from the increase in the rate of direct tax; and we must in like manner deduct from the receipts of 1863, the sum of $433,030.33, being the proceeds of the same increase received in the last mentioned year.

So from the disbursements of 1862, we must deduct $55,-000, paid to the families of Volunteers and the Union Relief Association, and the further sum of $371,299.83, the nett amount paid the General Government for that year's tax; and from the disbursements of 1863, we must deduct the sum of $332,645.50, paid for the redemption of State Stocks during that year, and on which account no disbursements were made in 1861 or 1862. The Receipts and Disbursements for said three years thus reduced to the Receipts and Disbursements on ordinary account present the following results:

Receipts for 1861,	$ 960,813,08
Receipts for 1862,	1,449,976.12
Receipts for 1863,	1,437,075.39
Disbursements for 1861,	$1,046,356.41
Disbursements for 1862,	1,120,559.27
Disbursements for 1863,	953,681.91

I have not deducted from the Disbursements of 1862, as perhaps properly should be done for the purpose of the above comparison, the large amounts paid that year on account of arrearages of appropriations made in 1861, and laid over for

want of funds ; nor any thing on account of the additional disbursements made necessary by the regular Session of the Legislature occurring in 1862. It will be seen from the aforegoing, however, that the Receipts of the Treasury in 1862 from ordinary sources were increased to amount of nearly half a million of dollars, over receipts of preceding year, and that increase was maintained within a comparatively trifling amount for the year 1863, whilst the Disbursements on ordinary account in last mentioned year—to say nothing of the large amount paid for exchange on transmitting abroad the interest on public debt, amounting to upwards of $90,000—were less than in either of the preceding years.

The gratifying result of all the Treasury operations is that at the end of the fiscal year 1863—with no new debt contracted—with more than $100,000 of the old extinguished, and upwards of $371,000 paid the General Government, there is a balance on hand of more than a million of dollars, exclusive of the cash to the credit of the Sinking and the School Funds.

Whilst various circumstances have of course concurred in producing these gratifying exhibits of the state of the Treasury, I cannot suffer the occasion to pass without giving the credit so justly due to the ability which has distinguished the management of that Department, whilst under the direction of the present Comptroller. The intelligence, assiduity and patient industry with which he has discharged his arduous and responsible duties, the strict accountability to which he has held all receivers of public moneys, and the vigilance and fidelity with which he has guarded every public interest committed to him, would have secured the successful administration of any office, but have been invaluable to such a Department as has been for the last two years under his control.

You will perceive by adverting to the tables which accompany the Comptroller's Report, that whilst the apparent debt of the State on the 30th of September last, was $14,793,742.-51, yet, under the system pursued of annually investing the accruing interest of the Sinking Fund in the bonds of the State, that Fund is at present the holder of upwards of half that portion of said debt, for which the State is required to provide interest ; for deducting from the above amount of apparent debt the sum of $3,269,321.11, the interest on which is provided by the Baltimore and Ohio Rail Road Company, and the whole debt of the State on which she is in fact required to pay interest, is reduced to the sum of $11,524,421.40 ; and of this there was held by the Sinking Fund on the 30th of September last, the sum of $5,649,656.83, and other Bonds to the amount of $144,423.39, have been purchased on account

of that fund since that day, making the present amount held by the Sinking Fund, $5,794,080.22, or more than a moiety of the interest bearing debt of the State.

It is for you to determine whether under these circumstances it is advisable to still treat this as a part of the actual debt of the State and annually to provide by taxes and other means for the payment of the interest thereon. The original object of that fund would seem to be sufficiently secured when such an amount of it is left as to ensure by means of its own accretions, and other provisions for its increase, the redemption of the outstanding public debt as fast as it matures. But that fund has now reached such an amount as not only to far exceed the necessities for such a purpose, but seriously to embarrass the operations of the Treasury. The annual interest now accruing on it, amounts to upwards of $347,000, and is of course continually increasing, and it is besides still futher increased by the addition of such sums from the surplus revenues of the Treasury, as the Comptroller and Treasurer may deem expedient. The aggregate of these increments is required to be invested in the State's own bonds, which for the most part can only be purchased abroad, and the rates of exchange have become so high, that such investments can only be acquired here upon very disadvantageous terms. The situation and amount of the fund present also a serious difficulty in purchasing at fair rates such of our bonds as may be found in the domestic market; for their holders being well aware of the fact that a large amount is in the Treasury awaiting investments, which are restricted to this particular security, will invariably avail themselves of that circumstance, and a temporary increase in the market value of the bonds is the inevitable result. The consequence of this state of things has been that, during the past year, large amounts of cash to the credit of the Sinking Fund or the general balance of the Treasury, have remained there unproductive for want of the opportunity to invest them. For these reasons I concur in the recommendation of the Comptroller that a portion—say two-thirds of the State Bonds now held by that fund be cancelled, and as regards future investments of the interest of that fund, or of surplus revenue for its account, I would recommend that some discretion be allowed to the officers of the Treasury, by suffering them to purchase, not only the bonds of the State, but Government securities or the stocks of other States. The safety of such operations might, as it seems to me, be secured against all reasonable apprehensions, by making the concurrence of the Comptroller and Tteasurer necessary to such purchases or requiring also the assent of the Executive. The knowledge

that a discretion of that kind existed would tend to secure a uniform value in the stock of the State, by avoiding that temporary inflation consequent upon large cash balances in the Treasury confined to such investments.

COLLECTION OF STATE TAXES.

A Statement in the Comptroller's Report for 1862, in reference to the mode of appointment and qualification of the Collector of State Taxes in the City of Baltimore, renders some provivion on your part for the better security and the more prompt collection of such Taxes apparently necessary, and is suggestive of some alteration in the mode of collecting such Taxes throughout the State.

The authorities of that city, in common with those of the counties, are empowered to appoint the Collectors of State Tax, and are required to levy upon the property of the city, a sufficient amount to pay the expense of that collection. In providing for the exercise of this power, they have, as appears by the Report referred to, prescribed by a city ordinance an annual salary of two thousand dollars, as the compensation to the Collector, who for that amount, is required to collect the Taxes due as well to the city as the State. They have also by the same ordinance, prescribed the penalty of the bond which such Collector shall give and fixed the same at the sum of $75,000, making it payable to *the city of Baltimore.* Both these Municipal provisions tend injuriously to affect the interests and impair the security of the State in that very material part of her resources derived from the Taxes payable in that city, and are, as it seems to me, obviously in conflict with the terms and spirit of the law of the State.

The only certain mode of securing a prompt performance of duty on the part of any Collector, is to make the amount of his compensation dependent upon the amount collected, and such was the manifest design of the 75th Section of the 81st Article of the Code, when "to secure a speedy collection of said Taxes," it provides that the city and county authorities shall annually levy "a commission not exceeding ten per centum, on the amount to be placed in the hands of such Collectors for collection.

But the advantage intended to be secured by this clause is entirely lost when the Collector's compensation is commuted to a fixed salary, and the consequence is not only a large arrearage of Taxes at the end of the year, and the necessity of making other provision for its collection, but the probability that a large part of it may be ultimately lost.

The terms prescribed by the ordinance referred to in regard to the penalty of the bond, and in making the city its obligee are still more obnoxious to objection, as being in direct conflict with the laws of the State which expressly require that such a bond shall be given *to the State of Maryland,* and in a penalty "double the amount of the Tax to be collected."

You will readily perceive how inadequate is the penalty prescribed by the city ordinance, of $75,000, when the amount of State Taxes placed in that Collector's hands for 1863, was upwards of $300,000, and the City Taxes to be collected by him, in the same year, probably three times that amount.

It might at first appear that some remedy for this could be found under the 38th and 39th Sections of the 81st Article of the Code, by which the Governor is authorized to appoint a Collector of State Taxes in any county or the city of Baltimore, where the local authorities fail by a given day to make such appointment. But when such appointment is reported, if it were even competent for the Executive to look beyond that report and on ascertainment of such facts as above suggested, to appoint another Collector, the expediency of such a course would be very questionable, and could scarcely be defended in view of the conflict of authority, such a proceeding would necessarily occasion, and the suspension of all collections of so important a part of the State's revenue, until such a controversy could be determined. I thought it better, therefore, to acquiesce in an arrangement made by the Comptroller with the Collector of Taxes for the time being, by which the amount of his collections should be at short intervals, deposited by him to the credit of the State. Whilst, therefore, I am not apprehensive of any loss to the State, from the amount actually collected, so far as the present Collector in that city is concerned, you will agree with me that the State should not be left to the security furnished only by the integrity of the individual officer, and that safeguards should be immediately provided against the contingency of such losses in the future.

The character of the danger to which I have referred, is calculated to call attention to what seems to me to be a radical defect in the mode of appointment of such Collectors throughout the State, and to suggest the propriety of so shaping the remedy required in the partieular case referred to, as to change, at the same time the system of appointment of such officers heretofore pursued. These Collectors, are as already mentioned, now appointed by the local authorities of the counties and said city. In some counties one Collector only, and in others several are appointed, and their bonds and se-

curities are subject only to the approval of these county and city officers. There is, therefore, a manifest want of that privity which should exist between such Collectors and the State, and of the control which the Treasury Department should possess over such officers of the revenue. Whilst the County Commissioners and the Tax Court of the city should still be required to levy upon their respective communities the necessary compensation for such Collectors, that compensation should be in the shape of commissions upon the amount collected, and the rate of it should be fixed by the State law.

The local authorities should still be required to furnish, as they now do, the necessary lists of property and tax payers to the Collectors ; but these Collectors should be appointed by the officers of the Treasury Department, and their bonds made subject to their approval. I submit these suggestions for your consideration as an outline of the modifications which the present system seems to require ; modifications which, in themselves, I believe to be just and appropriate, and better calculated than any other that occur to me, to obviate the evil of the particular proceeding to which the Comptroller has called attention, and avoid all conflict between the State and Municipal authorities.

REPEAL OR MODIFICATION OF DIRECT TAX LAW.

The prosperous condition of the Treasury as exhibited by its balance on hand and estimate of future receipts, considered in connection with the suggestions made for cancelling part of the State debt held by the Sinking Fund, naturally awakens the hope that the time is at length at hand when all direct taxation may be dispensed with. Under ordinary circumstances, I should certainly take that view of the subject and would not hesitate to recommend the immediate and total repeal of the Direct Tax Laws ; but with such a war as we have now on hand and with such demands as must be still made upon the men and money of the country to render certain its preservation, with the unqualified determination of the loyal masses of the State to meet to the utmost their full share of such demands, we should observe a proper caution in the too sudden curtailment of our present resources, and be willing to endure for a while longer, the burden of taxation rather than jeopardize results we have so much at heart, or fall short of our just contributions towards them. I am satisfied however, that with an economical use of the means we can now command and by seduously avoiding those unessential or experimental appropriations into which a Treasury balance is so apt to tempt us, we may without hazarding the prompt payment of any of our ordinary obligations or failing

to meet any just demands upon us, growing out of the exigencies of the times, safely reduce the rate of the State tax to what it was before its increase by the act of 1862. Such a reduction I would, therefore, recommend—but should, under the circumstances regard the total repeal of the Tax as injudicious. We must bear in mind that although we were not in the past year, nor will be in this, required to pay our quota of the National Tax imposed by Congress in 1861, and the imposition of which was the chief cause for the increase of the State Tax by the act of 1862, yet the National Tax has not been entirely repealed; but is only suspended for the present by the Internal Revenue Act, "until the first day of April, 1865, *when the same shall be in full force and effect.*"

PROVISION FOR VOLUNTEERS, &c.

One of the first subjects that will claim your attention, and which will present strong appeals to your liberality will be a provision for the soldiers of the State who are now or may hereafter be engaged in the service of the country. We who remain at home, surrounded by its comforts, and with our ordinary avocations in most cases scarcely interrupted by the casualties of the war, are hardly prepared to estimate, as we ought, the value of the services which these soldiers render, or to realize the extent of the privations they endure.

Our State has thus far done but little towards paying for these services or providing for these wants; several of the counties of the State have raised and paid bounties to some of our Volunteers and legislation will be necessary on your part to enable the local authorities of these counties to levy the amount thereof upon the property of their citizens; but a more important obligation rests upon you of adding to these county offerings others on behalf of the State.

The manner in which the amount you may think proper to appropriate for such a purpose can be best employed, is a question of much interest and importance.

I can see several objections to the plan heretofore most usually adopted of paying a round sum to a Volunteer, as an inducement to enlist. Bounties in that shape, offered as they generally have been, chiefly with the view of reducing the quota of an expected draft, are not only frequently squandered and afford but little permanent relief either to the recruit or his family, but the Government in many instances receives but slender service from such recruits, who having received all that they are to expect in the way of addition to their usual pay, are left without that stimulus to future exertion which a different disposition of that bounty might secure.

The same amount of money paid in a different manner might, as it seems to me, be much more advantageously employed.

Let us suppose that we are required to raise a given number of soldiers by a certain day, or that ortherwise they will be drafted, and that we have a sum of money to disburse which will enable us on reasonable calculations, by paying a certain bounty in advance to each Volunteer, to provide one-half the number required. Will it be better to do so and then let the draft proceed for the residue, or—awaiting the draft, to then disburse among the helpless and the destitute, whether they volunteer or are drafted, the amount we have to give? By the first plan, although the aggregate of the draft may be reduced fifty per cent., yet the residue still required, must be made up from all classes alike, and all consequently will be alike benefitted by the bounties thus advanced. The rich and the poor, the man with no family and the man with a large one, the rebellious and the loyal will, by the first plan share alike in the benefit of the bounty; whereas by withholding our disbursements until the Volunteer or drafted man is mustered into service, and then by a just discrimination dispensing what we have to give among the dependent, the destitute and the worthy, and paying it then, not in a single sum, but in liberal monthly provisions graduated according to the soldier's necessities or the size of his family, we are not only making the best use of our money by distributing it among those only who really need it, but are securing the fidelity of the soldier himself by paying him in these monthly allowances only so long as he continues to discharge his duty.

Another reason that would seem to favor such a distribution as I have indicated is that it will better enable us to embrace in our appropriation the case of men already in the service, whose pecuniary condition may as much require such assistance as those now just called upon to serve, and who, coming in, as we have reason to hope, at the eleventh hour of this Rebellion, should not be more liberally dealt with than those who have endured the heat and burden of the day.

Great caution will be required in disbursing a fund upon the principle suggested, to secure its faithful payment and impartial distribution, the details of which I leave to your sound judgment and discretion.

I would also recommend that a small appropriation be made for the purchase and presentation, on behalf of the State, of Regimental Flags to such of her Regiments as have borne or shall hereafter bear a distinguished part in any of the battles of the war. There are several, as I am pleased to know, who have already earned that distinction, and a slight token of

this kind, on the part of their State would, I think, have a happy effect in stimulating the efforts of them all.

Having frequently received applications on behalf of our sick and wounded soldiers confined in different hospitals, and who, on various accounts, sought some interposition or relief which could only be effectually rendered by personal attention, I appointed, in March last, Sebastian F. Streeter, Esq., of Baltimore, an agent to take such cases in charge.

Mr. Streeter very generously offered to discharge the duties of such an office without compensation, on being paid his necessary expenses. These expenses, which have been very moderate, have so far been paid out of the Executive Contingent Fund.

A copy of the letter notifying the Agent of his appointment, together with a report recently received of his proceedings, which are herewith submitted, will enable you the better to understand the duties that such an Agent is expected to discharge. Daily experience convinces me of the necessity for his employment; but scattered as our sick and wounded are among Hospitals in different States, it cannot be expected that any one can effectually attend to their wants without some compensation, and I would, therefore, recommend that an adequate provision be made for that purpose which will establish such an Agency upon a more permanent and effective basis.

A part of the battle-field of Gettysburg has been purchased by the authorities of Pennsylvania, and recently consecrated as a Cemetery for the Union soldiers who fell on that memorable field. At the request of those authorities, I recently appointed Col. John S. Berry, a Commissioner to cousult with similar Commissioners from other States, and to arrange for the completion of that Cemetery, and for the apportionment of its cost among the States interested. The estimate of that cost, and the manner of its apportionment, are set forth in a report of their proceedings herewith communicated and commended to your favor. It will bring to your attention the necessity of some provision on the part of this State towards defraying her share of the expenses connected with that patriotic purpose. It is only necessary, I know, to make this suggestion to secure upon your part all that is required. It is not merely that Maryland's dead, in common with those of her loyal sisters, sleep on that battle ground, or that the Regiments to which they belonged distinguished themselves by a gallantry worthy of the occasion, but the obligation upon us is one of a National character, your share of which you would not, I am sure, hesitate to discharge, though our citizens had

escaped entirely the casualties of that conflict. We have so far been seldom able to pause in the fearful struggle engaging our attention to pay the proper funeral honors to those who have fallen therein. They still, in most cases, occupy the shallow graves which were all that the exigencies of the battle would allow, or—a sight more melancholy still—the victims of disease and wounds repose side by side around all our Hospital sites, where the rough stake and mouldering turf denote their last resting place; but however they may have fallen or wherever they may rest, you, I know, will not fail to appreciate such sacrifices, or to embrace every occasion to honor the memory of the men who thus perishing to preserve their country, have earned a place in its history beside those who, in our Revolutionary era, died to create it.

PUBLIC EDUCATION.

I trust that during your present session, time enough may be spared from your other duties, to ensure the proper consideration of one that yields to none in the importance of the interests it involves. The subject of some uniform and efficient State system of public education has, on various occasions, I believe, been brought to the notice of former Legislatures, but probably because such systems are comparatively slow in their operations, and the benefits resulting from them not immediately palpable, but requiring time for their full development, their consideration has not heretofore commanded that prompt attention which their intrinsic importance deserves. No enterprise, however, in which a State can engage, is so certain of profitable and permanent results as well directed efforts in such a cause. The want of some such proper system in the southern portion of our country has, in my opinion, in a great measure led to the calamities it is now enduring; for however we may speculate as to the pretended or actual cause of the Rebellion, the influence of unscrupulous leaders over the masses of the people was the immediate cause of its successful outbreak.

The uneducated, and in many instances the grossly ignorant condition of a large portion of these masses gave to that influence a power it could never otherwise have acquired, and the penalty of the neglect which tolerated that condition is now being fearfully paid. A reference to the last census returns in that section of the country discloses the startling fact that on an average about nineteen per centum, or nearly one-fifth of the whole white adult population of the States that embarked in this rebellion, could not read or write. Although our own proportion of such a class is not above half of this, it is still far greater than it should be, and compares unfa-

vorably with that of other States who have taken this subject properly in hand.

We have, it is true, in the several counties of the State, something in the shape of a public school system ; in scarcely any two of them, however, does the same system prevail. In some of them School Commissioners are elected by the people, in some they are appointed by the Orphans' Court, in others by the County Commissioners, and in others again these Courts or Commissioners perform such duties themselves. In some a stated annual amount is levied for school purposes, in others a fixed per centum on the property of the county, and in others again the tax payers themselves determine what ought to be levied. There is great reason to fear that beyond the receipt and distribution of the School Fund received from the State, there is in many of the counties but a very languid administration of this important interest. The very want of uniformity in the mode of that administration is not only in itself a most objectionable feature, but betokens, as it seems to me, an erroneous principle at the base of the system, in implying, as it does, that each county is alone interested in the educational condition of its own community.

Whilst the management of its subordinate details should be properly left to the local communities, the State herself should exercise such a general control over the subject by some efficient and uniform system as will protect the public interest from the consequences of any neglect on the part of any subordinate member.

I will only venture to suggest an outline for such a system which, however, I feel warranted in recommending to you after consultation with those who have given the subject their studious attention.

A General Superintendent should be appointed to assume the entire supervision of the Schools of the State, and of the subject of public education, at such a salary as will secure the services of a proper individual, who, besides the general supervision it will be his duty to exercise, may acquire such a knowledge of the wants and practical working of any system in operation, and impart such information to the Legislature at each session as will enable that Body to improve and perfect it. The want of such an officer is seriously felt in the schools of the State, and his appointment should be secured whether the entire perfection of a plan is now accomplished or not. School Commissioners in every county and the city of Baltimore should be selected in some uniform manner, by some of the county authorities, who should take charge of the county schools, consult with and report to the General Super-

intendent; and who, if they thought proper, might appoint a local Superintendent for their several counties.

Schools of different grades should be established, adapted to different ages and requiring teachers of different capacities, and so arranged that pupils from one might be admitted to higher ones upon terms calculated to secure attention to and progress in their studies. An account should be taken of the number of children of teachable age in each county, and a tax imposed upon its inhabitants sufficient, with its share of the State fund, to defray all school expenses. An act embodying some such general provisions would, in my opinion, form the judicious foundation of a plan of education that, with the experience of a few years and the suggestions it would furnish, and by the use of every proper occasion to increase the school fund of the State, might be easily reared into an Institution the most valuable that the State could establish.

In connection with this subject of education, it is my duty to direct your attention to an Act of Congress approved July 2d, 1862, donating public lands to such States as may provide colleges for the benefit of agriculture and the mechanic arts.

By this Act, a liberal provision is made for securing out of the public lands of the United States a perpetual fund, the income of which is to be devoted to the endowment, support and maintenance of at least one collegiate institution whose course of instruction shall be chiefly directed to such branches of education as relate more particularly to agricultural and mechanical pursuits.

The Act grants to the several States who signify their assent to its provisions by some legislative act passed before the second day of July next, a quantity of public land equal to thirty thousand acres for each Senator and Representative in Congress to which such State is entitled by the apportionment under the last census, and according to which this State would be entitled to 210,000 acres. Scrip will be issued for this land upon the State's assenting to the terms of the grant, and the assignees to whom the State may sell and transfer such scrip, may—although by the terms of the Act the State itself cannot—locate the same upon any of the unappropriated land of the United States.

The chief obligation which the acceptance by you of the terms of the Act imposes upon the State will be to invest the proceeds of the sale of such scrip in Government or other safe securities; and if any portion of the fund so invested or its interest shall be lost, to make it good out of the moneys of the State; to devote the interest of the fund exclusively to the objects prescribed by the Act, and to pay all the expenses

incurred in the management and the disbursement of the moneys which the sale of said scrip may realize. Other conditions of minor importance are attached to the acceptance of the grant, with all of which you will doubtless make yourselves acquainted by an inspection of the Act itself. I presume you will have no difficulty in signifying your acceptance of it. I would also recommend that you at the same time make provision for the sale and transfer of the scrip, and by limiting its sale to some minimum price, or requiring the concurrence of different State officers to effectuate its transfer, guard as far as possible against its sacrifice.

In providing for the agricultural and mechanical instruction which this fund will enable us to secure, an opportunity will be furnished of combining therewith the rudiments of a military education which, as a mere method of scholastic discipline, has for some time past been gradually commending itself to public favor, and becomes in times like these a necessary element of public education.

THE MILITIA, &c.

The present condition of our Militia Laws, and the necessity for some immediate and thorough revision of them, will, I hope, attract your early and careful attention. These laws, the result of the legislation of various years, more recently brought together in the Code, present so intricate a mass of rules and regulations that they have come to be regarded, as if by common consent, as little more than a dead letter, and to repeal them all and substitute some simple, intelligible and efficient system is obviously the only plan to be now pursued. As a consequence of this condition of the law, connected possibly with the military organizations called into the service of the General Government, and which have engrossed public attention, and absorbed all other military associations, we are at present almost without any organized militia. Mindful of that admonition of our Constitution that "a well regulated militia is the proper and natural defence of a free government," and reminded as we have been more than once in the past year that our situation constantly exposes us to invasions and raids that we should be the first to repel, we should lose no time in restoring and reorganizing this important element of State power.

The enrollment of the State militia directed by the General Government in 1862, and made then by officers whom I appointed for that purpose, will afford the means of putting immediately into operation any system of organization that you may adopt. That enrollment embraced the names of 95,442 citizens between the ages of 18 and 45, and after deducting

all exemptions granted for physical disability and other causes recognized by the State law, there were left 57,558 men subject to military duty.

I would recommend that besides such encouragement of volunteer militia as the Constitution suggests, you should take some immediate measures for the organization of the force thus enrolled, and in doing so, I am inclined to think that the arrangement might be simplified, and the object in view more speedily attained, if you provided in the first instance, except in the city of Baltimore, merely for company and regimental organizations; and omitting any combination of counties for the purpose of brigade formations, and fostering by all proper means county organizations, either in companies, battalions or regiments, according to the number of their enrolled men, you would avoid to a great extent the sinecures into which militia officers have so frequently subsided, build up a more effective home force in each county, and should circumstances at any time render the brigading of such forces necessary, some authority to that end, dependent upon such contingency, might be vested in the Commander-in-Chief.

In reorganizing the militia you should, I think, so amend the oath heretofore administered to its officers as to secure, as far as it is possible by such means, the fidelity of those to whom such a trust is committed. We have in late years witnessed so many instances of men who had repeatedly sworn to support the Constitution of the United States, and with that oath fresh upon their lips taking up arms for its destruction, that some form of oath containing a more specific pledge of fidelity would seem to be necessary, and should be required not only from the military but the civil officers of the State.

The Act of 1861, Chapter 79, which repealed several sections of the Code upon the subject of State arms has deprived the Executive of all the power previously possessed for their collection and recovery. Many arms heretofore delivered to military companies, have for want of such authority probably been lost, and I recommend the immediate repeal of said repealing Act.

THE PUBLIC WORKS.

The Internal Improvement Companies in which the State holds an interest reckoned as a part of its productive capital, have generally met their obligations by the payment of the amounts due from them.

The Northern Central Railroad Company, which was, by Act of 1854, required to secure to the State the payment of an annuity of $90,000, has fully discharged that duty, and at the close of the last fiscal year owed no arrearages.

The Baltimore and Ohio Railroad Company, although it has not to my knowledge made any late report of its last year's operations, yet in their results as shown by the amounts paid into the Treasury, has furnished the most gratifying evidence of its success, and of the continuance of that able and energetic management which has so long distinguished it. Notwithstanding the serious and frequent interruptions suffered in the business of the company, by reason of the repeated destruction of large portions of its road by the Rebel Army, it has paid into the Treasury during the last fiscal year, two dividends of three per cent. each on the stock in the main stem of the road, and two other dividends of four and a half per cent. each on the stock in the Washington branch, and on account of capitation tax on passengers over that branch it has paid the sum of $207,540.51, making its aggregate of payments into the Treasury for that year $310,512.51, and conclusively showing that besides the incalculable benefits which the trade and commerce of our State derive from its operations, and its essential importance to the Government as one of the most important auxiliaries in military movements, that the State's interest therein, considered merely in a pecuniary point of view, is one of its most remunerative investments.

The bonds of the State to the amount of one million of dollars issued on account of the Susquehanna and Tide Water Canal Companies, will become due and payable at the pleasure of the State, on the 1st of January, 1865, and the obligations of these Companies to pay the State the amount of these bonds with interest and exchange, became due on the first of January instant.

By an adjustment made between the Comptroller of the Treasury and the Representatives of these Companies on the 1st of January, 1862, under the Act of 1860, Chapter 372, there appears to be a balance of interest and exchange due from said companies, as of 1st of January, 1860, of $183,701.74. Since then, payments have been made by said companies increasing each year in amount, and in the last year amounting to $90,000; the aggregate, however, for the last four years, probably not much exceeding the current interest and exchange, and in that case not reducing the amount due at the time of said statement of accounts. The principal having now become due, I deem it proper to call the subject to your attention.

The Comptroller in his report to me in 1862, refers to the situation of the Maryland and Delaware Railroad, and to representations in reference to it rendering it difficult for him to determine the propriety of further payments by him on its account.

It is also said that this company has executed to some of its individual creditors a mortgage under which they claim priority to the mortgage given to secure the State's interest on the amount of its subscription, and which would seem to be inconsistent with the terms and spirit of the Act by which that subscription was authorized. I, therefore, submit these subjects to your consideration for such action or investigation as you may think they require.

I would also commend to your attention the facts stated in the Comptroller's Report for 1863, in reference to the affairs of the Annapolis and Elk Ridge Rail Road Company and the relations between it and the Treasury Department. It appears that the Act of 1841, Chapter 168, authorising the issue of bonds by that company in payment of its debts has been so construed that the interest on these bonds, and the considerable part of the principal have been paid not out of the profits of that company, nor out of any thing that the State has ever received from it, but from the revenues of the State derived from other sources; and whilst nothing whatever was paid by that company into the Treasury.

Whatever ambiguity there may be in said Act of Assembly or whatever authority for such a construction—looking merely to the words it employs—that construction seems to be so manifestly inconsistent with the spirit and purpose of the Act itself, and of all the legislation regulating the relations between that company and the Treasury, to say nothing of the apparant injustice of it, that some declaratory act would seem to be obviously necessary, or at all events that such action should be had as may secure a Judicial interpretation of the Act in question.

INSPECTIONS.

An Act of the Legislature, passed at the Session of 1860, remoddled the entire system of Tobacco Inspections, requiring the election on the joint ballot of the Senate and House of Delegates of three Commissioners who were annually to lease the State Tobacco Warehouses in the City of Baltimore and exercise a general Superintendence over Tobacco Inspections and the public interests connected therewith.

The provisions of that Act are now all that the Code contains upon that subject; for some reason, however, the Commissioners authorized by it have never been appointed by the Legislature, and no such lease of the Tobacco Warehouses has consequently ever been made, and the most of the other provisions of the Act, connected as they were with the appointment of these Commissioners and the execution of said lease have therefore been entirely inoperative. I found in

January 1862 Tobacco Inspectors in office and discharging their duties according to the law as it existed before the passage of the Act referred to, and as a matter of necessity they have continued to act chiefly in accordance with said antecedent law at this time.

Your early attention to this subject is therefore obviously necessary, either in executing the Act of 1860, restoring the previous law or providing a new one, and to confirm the proceedings of the Inspectors for the last four years so far as they have been governed by a law that apparently has no present existence.

I would recommend also some modification in the law providing for the Inspection of Grain. That law allows in certain cases the option to the grain owner or his agent to sell his grain without inspection or weighing by the State Inspectors, which privilege, as I am informed, has led to the introduction of a class of grain weighers having no connection whatever with the State, and who act independently of the Inspectors appointed by it. If there be a necessity for the inspection or weighing of grain at all, and it is deemed advisable that the same should be made under the supervision of State officers, it should be like all other inspections *exclusively* under their direction; and to permit others to engage in the same business without the authority of or any responsibility to the State, not only deprives it of the revenue which such an inspection would otherwise yield, but is calculated to defeat the chief object of the inspection itself.

In consequence of these two classes of inspectors or weighers thus at present employed, the Grain Inspection instead of yielding a considerable revenue to the State does not afford enough to remunerate the Inspector.

I would, therefore, advise either that the law requiring the inspection and weighing of grain be repealed altogether, or that it be otherwise so modified as to require all grain coming to market, except when brought in small lots by wagon, etc., to be weighed and inspected exclusively by the officers whom the State appoints.

CHARITABLE INSTITUTIONS.

The Managers of the House of Refuge who by their charter are required to make an annual report to the General Assembly—that body not being in session in January 1863—filed at that time their report for the previous year in this Department, and it is herewith submitted. This Institution continues to grow in favor with the people of the State, and has in all respects fulfilled the expectations of its founders. The amount of the annual appropriation, which for the last three

years it has received from the State, would scarcely seem to be commensurate with the importance of the public interest it is calculated to secure.

It was founded, and has been I believe, to a great extent supported by individual munificence, but the character and extent of the benefits it confers upon the community, entitle it to a support that should place it beyond such dependence.

The increase in the cost of nearly all the necessaries of life of late, must add considerably to the amount of its expenses, as it adds also another reason for a liberal contribution to its support. I would, therefore, recommend that the appropriation hitherto made on its account be continued, and think that it might be very advantageously increased.

Extracts from the Executive records, which accompany this Message, will inform you of the number, names, etc., of the beneficiaries at present supported by the State in several Institutions devoted to the instruction of the deaf, dumb and blind, and of the amounts expended on their behalf in 1862 and 1863.

A letter from the President of one of these Institutions—the Pennsylvania Institute for Deaf and Dumb—calls attention to the costs of the support of pupils therein, and to the necessity growing out of the increase in the cost of food and clothing for a correspondent increase in the annual charge for a pupil's support.

That charge was consequently raised from $160 to $180 per annum on the 1st of March last, but being limited to the former sum by the present law of the State, some action on your part is necessary to authorize me to pay the increased amount. It would seem to be but a reasonable addition to the previous price and is being paid for the beneficiaries of other States.

I would, therefore, recommend the passage of an Act authorizing this increased allowance, and also the payment of the sum of $84, the amount of the difference in the two rates of charge accrued on account of our beneficiaries since the time when that increase took place.

In this connection I would call your attention to the difference in the rate of payment allowed on account of the blind, and that on account of the deaf and dumb. I can perceive no good reason for such a difference, and would recommend that it be equalized by authorizing an increased allowance in the rate for the latter class which might however be still so limited as not to exceed the amount paid for similar beneficiaries by other States.

A communication from the "Northern Home for Friendless Children," a benevolent Institution in Philadelphia calls attention to the fact that a number of its inmates are indentured as apprentices to citizens of Maryland, and that legislation upon your part is desirable to recognize the validity of such indentures and to give to them the like effect with those made between parties residents of this State. I submit herewith a copy of that communication and commend it to your attention.

The commissioners to superintend the building of the new hospital for the insane whose appointment was authorized by the Legislature at its last session, were appointed shortly after its adjournment, and I had hoped to receive in time for this communication a report of the present condition of that work, and an estimate of the amount necessary to complete it. The recent death however of one of the members of that board who acted as its Secretary, has probably delayed that report; it will doubtless be soon received by you. I am informed that no part of the hospital has been yet completed, although the whole of it is considerably advanced. That part of former appropriations unexpended at the time of the appointment of the present commissioners has been disbursed by them in payment of debts previously contracted, and in the protection of the building against the damage to which it was liable from its unfinished condition.

The want of this Institution has long been very seriously felt, and I would earnestly recommend that you appropriate an amount sufficient to complete it and put it in operation as soon as the expected report shall furnish you with the information necessary for that purpose.

The Trustees of the Sheppard Asylum, filed in this Department as required by the Charter, in January, 1863, a report showing the condition of that corporation, with an account of its receipts and disbursements for the previous year, a copy of which is herewith sent. The report for the last year is not yet received, but will be laid before you whenever it is.

MARYLAND PENITENTIARY.

The report of the Directors of the Penitentiary for 1863 has not yet reached me, that for 1862 is herewith transmitted, and the other will no doubt be very shortly laid before you. I am enabled, however, to say from information received, that the financial embarrassments which have so long crippled the operations of that Institution, and caused such frequent appeals to the Treasury for its releaf are about, as I hope, to disappear.

Under the prudent and economical administration of the present board it will be seen by their reports for 1862, that notwithstanding the increased cost of most of their articles of consumption, the expenses of the Institution for that year were diminished by upwards of $1,000. I am informed that the Institution at the close of the last year was out of debt, and has a balance to its credit of nearly three thousand dollars. This result has been chiefly attained by a change in its system of labor, and instead of manufacturing on its own account hiring its inmates to contractors at fixed prices.

The change has been already found most beneficial to the interests of the Institution, and there is every reason to believe that when it is more thoroughly inaugurated, it will enable the establishment hereafter to support itself. The successful operation of the new system will require, as I am told, some additional work shops, and I would recommend that the Directors may be allowed to use the balance on hand for that purpose instead of paying it into the Treasury of the State as they are at present required to do. To expedite the building of the new shops required and facilitate thereby the operations of the new system, it would, I think, be advisable to make a small additional appropriation, the necessary amount of which will probably be indicated in the forthcoming report of the Directors.

The necessity of making some provision for insane inmates of the Penitentiary has frequently been brought to the attention of former Legislatures. According to the last information received on this subject, there were lately confined there some seven or eight individuals of this description, who from considerations of humanity as well as for the interests of the Institution should be disposed of in some other manner.

The law makes provision for parties who, when on trial for an offence are found by the Jury to be insane or lunatic, by ordering them to be sent to the Alms House of the county where the offence was committed, and there would seem to be no reason why, on the suggestion of Officers of the Penitentiary, that persons in that condition are there confined, some neighboring court might not be authorized to order a Jury to enquire into that fact, and on their verdict or advice, make a similar disposition of them. Until the Hospital for the insane is completed, I can suggest no better remedy for the existing evil and would, therefore, recommend the passage of an act to that effect.

CONSTITUTIONAL CONVENTION.

I would now call to your attention a subject which, although among the last submitted, stands prominently forth among the first in importance.

The question of a Convention to revise the Constitution of the State is, at all times one of deep interest to its citizens, and is just now enhanced by considerations, which, in my opinion, require you to dispose of the subject by early action, and in a spirit of calm, dispassionate and unprejudiced deliberation.

The first point involved in its consideration is one of Constitutional power. It has been supposed by some that inasmuch as the Constitution provides that the question of its amendment shall be submitted to the people by the Legislature which assembles first after the taking of each census, that such question can be submitted at no other time and by no other body, and that the last Legislature having failed to perform that Constitutional duty, it cannot be discharged by the present. The error of such a theory is in failing to discriminate between a question of *duty* and one of *right;* for though the duty imposed by the Constitution of submitting the subject of its amendment to the people at stated times, attaches only to the Legislature immediately succeeding the returns of the census, yet the right of submitting such a question and providing for such a Convention belongs as undoubtedly to you as it did to your immediate predecessors or to any preceding Legislature. Were this not the case it would be in the power of every Constitutional Convention to make the work of its hands practically unalterable, by requiring the question of its revision to be submitted to the people at such long intervals of time as would amount in effect to its indefinite postponement.

But it is next objected that if the present Legislature does possess this power, it can only be exercised in the precise manner prescribed by the 11th Article of the Constitution and that you can, therefore, only submit the question to the people at the general election of 1865.

If the right to exercise this power upon your part, was conferred only by that Article, such a conclusion would be undoubtedly correct; but such is not the case; in submitting the question at this time to the people you are not exercising any authority derived from the Article referred to, but are simply asserting a right which exists independently of that Article, which would belong to you if the Constitution had contained no such provision, and which still belongs to you as that instrument, though requiring such questions to be submitted at stated times, yet contains nothing that prohibits their submission at any other time.

It has again been by some supposed that the 43d Article of the Declaration of Rights, which declares "that this Constitu-

tion shall not be altered, changed or abolished, except in the manner herein prescribed and directed," is a limitation upon your authority which obliges you to conform to the precise requirements of the 11th Article aforesaid. If this were so and this clause of the Bill of Rights could be construed as referring to *time* as well as manner, it would oblige you to postpone the subject altogether until after the taking of the next census. This, as I have attempted to show, is not the case, nor is there any thing in this clause of the Bill of Rights warranting such an inference or restricting the popular vote either to the general election succeeding the promulgation of each census or to any other general election. It is a mere declaration that the Constitution shall only be amended "*in the manner*," and not at the *time* "prescribed and directed," and this requisition is fully met when the Constitution is altered by a Convention of the people, assembled in pursuance of the voice of the people indicated at an election held for that purpose.

The manner in which our former Constitution was changed was, as we all remember, apparently in decided conflict with the provision it contained for its own amendment; certainly far more so than is presented by the objection last noticed.

It was by that Constitution expressly declared that it should only be changed or abolished by the Acts of two successive Legislatures in a manner particularly specified, yet it was entirely abrogated by the action of a Convention.

These views manifestly accord with the construction of the Constitution made by the Legislature of 1858, which by an Act passed at that session, and of course before the time prescribed by the Constitution, ordered a special election for the purpose of taking the sense of the people on a similar question, and made provision for a Convention in case the people should decide in favor of it; the majority, however, at that election being against a Convention that body never assembled.

Assuming therefore that you have the Constitutional power to provide for taking the sense of the people on this subject at a special election, and for such Convention in case their vote be in favor of it, the next question for your determination is whether such a course is at this time expedient.

Although, as I have already said, the same Constitutional obligation does not rest upon you that did upon your predecessors, it nevertheless would seem to be in some respects your duty to provide as far as possible against the consequences of their failure. The people had the right under the Constitution to pass upon the subject of a Convention at the general election of 1863, and if they have not been permitted

to enjoy that right, it is I think the more incumbent upon you not only to provide for submitting to them that question but to appoint such a time for the purpose as will ensure its early decision.

In regard to the particular changes required in our organic law, it might not, perhaps, under ordinary circumstances, be either necessary or proper to offer suggestions; these being considerations rather for the Convention than for the Legislature or the Executive; yet as bearing upon the enquiry of the expediency of a Convention at this time, there is one subject of such vital importance, engrossing such general attention, and apparently absorbing all other considerations connected with the call of that Convention that to omit allusion to it might appear like an indifference which I am far from feeling or a desire to avoid an expression of opinion that is quite as far from my purpose.

I have the less reason for withholding any such opinion, as it has undergone no change, and is such as I have frequently heretofore expressed. I believe to-day, as I have done for years, that if we had long ago provided for the gradual emancipation of the slaves of the State, we should now be, as regards all the material elements of public prosperity, far in advance of our present position.

The products of our State and its natural resources are not such as are adapted to or can be developed by slave labor. I am satisfied that the people of the State in their moments of calm and deliberate reflection long since came to the same conclusion, and that their convictions on that subject would have led them thirty years ago to such legislation as would have made us long since a free State, but for the unauthorized and officious interference of those outside the State who undertook to dictate a policy that properly belonged to ourselves alone. This foreign interposition not only checked our early attempts at emancipation, but by the reaction—always the certain result of ultraism of any kind—led to the introduction of that extraordinary restriction in our present Constitution, which, whilst we are free to act on all other subjects, forbids all attempts to abolish slavery. It was undoubtedly wrong to have suffered the mere feeling engendered by these fanatic efforts to influence our action upon a subject involving public interests of such magnitude and importance.

In legislating upon such questions we should be cautious at all times to allow no merely passional considerations to sway or shape our proceedings, and you will, I trust, guard yourselves against such influences now, and though you may doubtless still find in modern radicalism quite as much to

offend and provoke as existed at any former period, you will nevertheless address yourselves, I hope, to the task before you, uninfluenced by any considerations but a regard to the future welfare and advancement of our State. It is probable that even in times past, such influences as I have mentioned would never have given the direction they did to our policy on this subject, but that those conspiring leaders at the South even then looking to a dissolution of the Union, lost no opportunity in promoting that treasonable purpose and by their artful appeals to those passions already excited by the causes mentioned, succeeded in imposing an interdict upon emancipation in Maryland which their recent proceedings beyond anything else have now effectually removed. When they lifted their hands against the Union and pointed to slavery as the Institution upon which their visionary Republic was to rest, they struck a blow at its very vitals in every Border State, under which it has continued to languish and which must inevitably result in its ullimate destruction.

It becomes us therefore, to whom the whole question rightfully belongs to take immediate measures for its removal, and which should be no longer delayed than may be required by a proper respect for those industrial pursuits with which the Institution has been so long and so intimately interwoven, and a humane regard for the slave himself which forbids us to cast him all unprepared for so great a change, too suddenly upon his feeble resources.

SLAVE ENLISTMENTS.

I feel it to be my duty in this connection to call to your attention a subject, which for some time past, has greatly agitated and alarmed the people in several of the counties of the State, and caused many complaints and appeals to me for interposition by some of the best and most faithful of our citizens. About four months since recruiting officers for the first time made their appearance among the slave population of the State with the avowed purpose of enlisting in the military service all colored persons of the required age and condition who would present themselves. No orders from the Head Quarters of the Army, authorizing such a proceeding had been made known and no rules seemed to exist establishing any certain course of proceeding. The recruiting officer exercised apparently an arbitrary discretion, stripping some neighborhoods and leaving others untouched, taking frequently the slaves of owners, whose loyalty had been never questioned, in some cases when these owners were themselves absent in the Army or Navy struggling against the enemy, and leaving those of others, whose want of loyalty was equally notorious. They frequently took, not only such as were fit

for the service, but many others who were entirely unfit, and who when brought to the Rendezvous in another part of the State were turned adrift and in most cases lost both to the Government and their owners.

I complained of these proceedings to the President of the United States, and was informed that no orders upon the subject had then been given, and that it was under consideration. After the lapse of a month, the practice still continuing, no order relating to it yet appearing, and continued complaints from loyal owners still reaching me, I addressed a written communication to the President remonstrating against the practice and invoking his interposition.

This led to another conference with him and the Secretrry of War, the result of which, as I thought, was the suspension of the practice, until an opportunity could be offered to the owners to voluntarily offer their slaves to the Government at a certain rate of compensation, and to meet by that means its supposed necessities. But the suspension did not take place and the practice still continued with as little system as ever on the part of the recruiting officers.

You will readily perceive the gist of the objection which our loyal citizens made to these proceedings. It is not so much that they object to colored troops, for they are ready and willing to see every one, be his color what it may, who is subject to military duty, arrayed against this Rebellion. It is not that they object to the surrender of their property to any extent that may be necessary to strengthen the arm of the Government in the conflict in which it is engaged. They admit, that when a proper emergency exists, if it cannot be otherwise met their property may be impressed for that purpose ; but if such an emergency does exist they claim not only that they shall be paid for property so seized without unreasonable delay, but that its impressment shall be so guarded as to embrace all alike, and to avoid the wanton or useless removal of it, and that such proceedings shall not be conducted according to the arbitrary whim of every subaltern, who, by carrying off those evidently unfit for service, proves that the augmentation of the Army is frequently the least of his considerations.

If slaves are persons subject, within the provision of the Acts of Cougress, to military duty, these Acts have prescribed the mode of enforcing that duty ; they should be then enrolled and drafted as others are, but they have not been so enrolled simply because they have not been made subject to that duty, as reference to the conscript law will show. If then they are subject to seizure, it is only as property, and to meet an

emergency, and then their seizure or their enlistment should not be by the arbitrary process noticed, but governed by some such fixed rule as would make all alike subject to the burden and allow no discrimination either as between individuals or loyal States.

I know not that you possess any power in the premises, but I feel bound to lay the subject before you with a statement of the course I have felt it to be my duty to pursue, and that you may be more fully possessed thereof, I herewith transmit a copy of my letter to the President on the subject to which I have referred.

One of the conditions upon which compensation has been promised to the owners of slaves enlisted in the service is that a deed of manumission shall be executed as a preliminary to its payment. To enable the owner to comply with that condition, I recommend the immediate repeal of the 42d Section of the 66th Article of the Code which prohibits such manumission.

MILITARY INTERFERENCE WITH ELECTIONS.

I avail myself of this occasion to advert to certain events connected with our recent election which deserve your most serious consideration.

It would be much more agreeable to me to avoid all allusion to them; I cannot however do so, consistently with my sense of what is due to the rights and honor of the State, to the office which by the favor of its citizens I occupy, or—I may with sincerity add—to the cause of the Union itself, in my opinion, so intimately blended with the cause of the Law and Constitution, that any outrage inflicted, and especially in its name, upon them, necessarily to some extent recoils upon it.

A few days before that election a military order was issued from the Army Head Quarters at Baltimore which in effect placed the polls under the surveillance and at the command of the military authority.

I was the less prepared for any such order from the fact that though in frequent personal communication with the military authorities of the Department, I had received no intimation whatever of such a proceeding or of any supposed necessity for it. In that part of the State against which the movement seemed to be more particularly directed, (the Eastern Shore,) there would seem to have been less necessity, as there certainly was less semblance of authority than elsewhere; for whilst Martial Law had been proclaimed upon the Western Shore of the State in June last, and had not been repealed up

to the day of election, upon the Eastern Shore it had never been proclaimed at all.

You will be furnished with a copy of this order and it is not necessary further to recite it than to state in general terms that it was to be executed by the military, aided by the Provost Marshals. They were to arrest voters whom they might consider disloyal approaching or hanging about the polls; a prescribed form of an oath was furnished, without taking which, no one, if challenged, could vote; and the several commanding officers were charged to report to Head Quarters any Judge of Election who should refuse to administer that oath or to aid in carrying out that order. The President modified the first part of the order on the Monday preceding the election, but even that modification seemed to receive no attention from those entrusted with its execution, and was in some instances openly disregarded.

Prominent among the Provost Marshals to whom the execution of this order was in part committed were several who were themselves candidates for important offices.

These Marshals appointed for the purpose of the militia enrollment and draft were placed by the law creating them under the control of the Provost Marshal General, but to ensure the right to employ them about this election order, special authority was obtained from Washington to place them for the time being under the orders of the military authorities.

If with these facts before me, and seeing the Judges of election, sworn to conduct it according to the laws of the State, openly menaced with arrest unless they recognized the military authority and conducted it by the rules which that authority prescribed, I had stood silently by and failed to assure them of the protection of the State to the extent of its ability, I should have felt myself utterly unworthy of the place of its Chief Magistrate.

I therefore on the Monday evening preceding the election issued a Proclamation giving them this assurance, a copy of which is herewith submitted.

Before the following morning, military orders were sent to the Eastern Shore, directing its circulation to be suppressed, the public papers were forbidden to publish it, and an embargo laid on all the steamers in port trading with that part of the State lest they might carry it.

An attempt has been made to justify the military order upon the ground that its only purpose was to exclude disloyal voters who had by their conduct justly forfeited their fran-

chise. An examination of the oath, however, which it prescribed, will show that even had it emanated from undoubted authority it could accomplish no such end.

No matter what had been the conduct of the voter, there was nothing in the oath calculated to exclude him; it had no reference to his past conduct, and every traitor who had left the State and had but just returned from the Rebel Army, might have taken it with impunity. It contained only a promise for future good behaviour—a promise which as a very slight atonement, many a Rebel sympathizer might and doubtless did very readily make, whilst the loyal citizen who had stood always faithful to his allegiance, would feel justly indignant at having his loyalty challenged, or being required to give any guarantee for his future conduct, or to enable him to exercise a privilege he had never forfeited.

How far it accomplished the purpose claimed for it, or how far my anticipations of the consequences of the order and the abuses to which it would lead were realized, will appear by a brief reference to some of the transactions connected with its execution. These abuses commenced even before the opening of the polls. On the day preceding the election, the officer in command of the Regiment which had been distributed among the counties of the Eastern Shore, and who had himself landed in Kent county, commenced his operations by arresting and sending across the Bay some ten or more of the most estimable and distinguished of its citizens, including several of the most steadfast and uncompromising loyalists of the Shore. The jail of the county was entered, the jailor seized, imprisoned and afterwards sent to Baltimore, and prisoners confined therein under indictment were set at liberty. The commanding officer referred to gave the first clue to the character of the disloyalty against which he considered himself as particularly commissioned by printing and publishing a Proclamation in which, referring to the election to take place next day, he invited all the truly loyal to avail themselves of that opportunity and establish their loyalty "by giving a full and ardent support to the whole Government ticket upon the Platform adopted by the Union League Convention," declaring that "none other is recognized by the Federal authorities as loyal or worthy of support of any one who desires the peace and restoration of the Union."

To secure the election of that ticket seemed to be the business to which he and his officers especially devoted themselves throughout the day of election. In the statements and certificates which have been forwarded to me from different counties in that Congressional District, I have been furnished, I

presume, with an account of part only of the outrages to which their citizens were subjected. The "Government Ticket" above referred to was in several, if not all of these counties, designated by its color, it was a yellow ticket, and armed with that, a voter could safely run the gauntlet of the sabres and carbines that guarded the entrance to the polls, and known sympathizers with the Rebellion were, as certified to me, allowed to vote unquestioned, if they would vote that ticket, whilst loyal and respected citizens, ready to take the oath, were turned back by the officers in charge without even allowing them to approach the polls.

In one district, as appears by certificate from the Judge, the military officer took his stand at the polls before they were opened, declaring that none but "the yellow ticket" should be voted, and excluded all others throughout the day. In another district a similar officer caused every ballot offered to be examined, and unless it was the favored one, the voter was required to take the oath and not otherwise; and in another again, after one vote only had been given, the polls were closed, the Judges all arrested and sent out of the county, and military occupation taken of the town.

But I will not detain you with a recapitulation of all the abuses that these statements disclose. I have caused copies of them to be transmitted to you and they cannot fail to arrest your attention. They present a humiliating record such as I had never supposed we should be called upon to read in any State, still less in a loyal one like this. Unless it be indeed a fallacy to suppose that any rights whatever remain to such a State, or that any line whatever marks the limit of Federal power, a bolder stride across that line that power never made even in a Rebel State than it did here on the fourth of last November.

A part of the Army which a generous people had supplied for a very different purpose, was on that day engaged in stifling the freedom of election in a faithful State, intimidating its sworn officers, violating the Constitutional rights of its loyal citizens, and obstructing the usual channels of communication between them and their Executive.

If I have deprecated such proceedings, I have been actuated in so doing scarcely more by the sense of what was due to the Laws and Constitution of the State, than by a regard for the safety and success of the Union and the maintenance of that popular respect for and confidence in its constituted authorities so important to the triumph of the great cause they have in charge. The moral influence of such sentiments is worth, to those administering the Government far more

than any results of an election where such proceedings are tolerated. But notwithstanding their occurrence, I trust and believe, they will never cause you to forget your duty to your country, cool your ardent devotion to the Union, lead you to feel the slightest sympathy with those who have assailed it, or to seek a fellowship with them that do.

Maj. Gen. Dix when in command of this Department, at the time of the election in 1861, and when too Rebellion was backed by its organized supporters in our very midst, took the true and statesmanlike view of the policy proper for such an occasion, when in directing his Provost Marshal he said, that whilst there was no difficulty in controlling Maryland by force, that this was not what was wanted, but that we wished to control it by the power of opinion, and that to satisfy the country that the people were on our side, we must leave them to an unbiassed expression of their wishes. They were left to that unbiassed expression, and such was its character, that I had supposed no one would still require evidence of their loyalty.

Gen. Dix was even appealed to by some of the Judges of Election to authorize an oath to voters of doubtful loyalty, and although it appears from the tenor of his reply that the oath suggested was nothing more than an oath to support the Constitution of the United States, he refused to order it, saying to them among other things, "*the Constitution and Laws of Maryland provide for the exercise of the elective franchise by regulations with which I have no right to interfere.*"

A copy of this letter dated November 1st, 1861, and addressed to the Judge of an Election District of Carroll county is herewith communicated and commended to your attention.

Had the Department Commander who issued the recent order taken the same view of his duty, it would, in my opinion, have been a fortunate conclusion of his military administration, which had been previously distinguished by marked ability and success.

So far, however, as concerns those more immediately connected with the preparation of that order, it will doubtless appear, should its unwritten history be ever published, that the Commanding General deserved less censure than those who instigated it, and to whose influence he probably yielded the more readily, as such instigations came partly from our own citizens. Such a consideration, however, is by no means calculated to diminish the danger of such a precedent. If men interested in accomplishing certain political results, can by any influence enlist in their behalf, such a tremendous in-

strument of power as was here employed, no election will probably ever occur in which the same means will not be again attempted.

You will perceive by several of the communications I have received on this subject, that I have been appealed to to withhold commissions or certificates of election in districts where these abuses were practiced. I possess, however, no such power. My duty in the premises being simply a ministerial one consequent upon the official returns of the Judges of Election. So frequent were the applications to me to this effect, that I deemed it a proper subject for legal advice and having consulted the Hon. Reverdy Johnson, he forwarded to me a written opinion, sustaining the views I had entertained, and a copy of which is herewith furnished.

It becomes you to consider whether there is any remedy within your power, by which such proceedings may be in any degree restrained.

The Constitution declares that all elections shall be by ballot, and I would earnestly recommend that you secure the benefit of that provision by an effectual prohibition of all such marks upon the ballot as are calculated to expose its contents or to distinguish one ballot from another. If by the use of colored paper or other means of designation, such exposure is effected the whole object of the Constitutional requirement is defeated.

Again, if that provision of our law which has so long existed and been so universally considered as one of the safeguards of free elections, which forbids the mustering of armed troops in the neighborhood of the polls be indeed no longer admissible or appropriate to our condition, it should be repealed, otherwise you will see the propriety of adopting some provision which shall, if possible, cause it to be respected. It might probably be accomplished by requiring the Judges of Election to certify in their return that no military or other armed force had appeared at the place of voting or interfered in the election and making such certificate a condition to any Executive action thereon.

MISCELLANEOUS.

Copies of Resolutions adopted by the Legislatures of several States and forwarded to this Department, are herewith trasmitted.

I would call your attention to the case of Myers *vs.* the State of Pennsylvania, which has been for several years pending in the Supreme Court of the United States.

Myers, a citizen of Maryland, who, under the authority of their owner had arrested certain fugitive slaves from this State found in Pennsylvania, was afterwards himself arrested and indicted in that State for that act. The authorities of Maryland very properly assumed the defence of Myers and appointed Jonathan Meredith, Esq., of Baltimore, as his counsel. Mr. Meredith defended him in the State Court of Pennsylvania, and Myers being convicted, his counsel sued out a writ of error and the case was brought into the Supreme Court to test the Constitutionality of the Pennsylvania Statute. Myers, though convicted, was released upon his own recognizance, and never called up for sentence, nor is there any reason to apprehend he ever will be.

The case in the Supreme Court has never been argued, and looking to the convulsions in which our country is involved, their character and tendency, and the diminished interest we at present possess in such questions as this appeal to the Supreme Court was designed to determine, the policy of a further continuance of that controversy and the continued agitation of the issues involved in it, would seem at least to be very questionable. I submit the subject for your consideration, recommending, however, that whatever action you may think proper to take, that the compensation of the counsel employed in the case should no longer be postponed. He tried the case several years since in Pennsylvania, and has made preparation to argue it in the Supreme Court, and it is due to him and to the State that an appropriation should be made for the payment of his fees.

The accounts of the disbursements from the Executive Contingent Fund, and from the appropriation for repairs and furniture of Government House, expended during the years of 1862 and 1863, have been prepared and with the vouchers relating thereto are ready to be submitted to you. I respectfully request that you will appoint a committee to inspect the same.

Some repairs and alterations about the public buildings were so obviously necessary that I have ventured to have them made.

The house formerly used for storage of fuel, which was only an open shed, had fallen to pieces and a new one was indispensable. I have, therefore, caused a new brick one to be erected, having, after inviting proposals from several, accepted the lowest offer, and the building has been lately finished in conformity to the agreement, and I recommend an appropriation to amount of the contract price.

The want of more Committee Rooms for accommodation of

the Committees of the two Houses, was a complaint very generally made during the last Session of the Legislature, and some act, providing for them, I believe, passed the House of Delegates, but was too late for the action of the Senate. The Speaker of the last House who was familiar with the plan then in contemplation, kindly came to Annapolis and conferred with me on the subject a short time since, and assisted by his suggestions, I engaged the builder under whose direction the last alterations in the public buildings here were made, to do the necessary work. He has very lately completed it, and has converted the room under the Library into four comfortable Committee Rooms and a Room for a Post Office. The alteration will, I hope, meet your approbation and contribute to your convenience. I recommend an appropriation for the cost of it.

The necessity for other repairs about the State House will attract your attention. The outside of the building, and especially its roof and dome stand much in need of paint. The venerable edifice should by no means be neglected—it is, as it well may be, an object of great regard, not only to the residents of the Ancient City, but the people of the State. You will, I hope, do whatever is necessary to keep it in complete repair, that it may be long preserved to shelter many a future Assembly, bearing aloft to the last the same Flag that floats from its summit to-day.

A. W. BRADFORD.

Executive Department,
January 6th, 1864.

BY THE HOUSE OF DELEGATES,
January 8th, 1864.

Read and ordered to be printed.

DOCUMENTS

ACCOMPANYING

THE GOVENOR'S MESSAGE

TO THE

Legislature of Maryland.

ANNAPOLIS:
BULL & TUTTLE,
1864.

Copy of Letter to S. F. Streeter, Esq.,

APPOINTING HIM

MILITARY RELIEF AGENT FOR STATE.

STATE OF MARYLAND,

EXECUTIVE DEPARTMENT,

Annapolis, March 13th, 1863.

S. F. STREETER, Esq.,

Dear Sir:—I have reflected upon the subject of our conversation some days since, and am confirmed in my convictions of the propriety of the suggestion, for which I am obliged to you, of appointing an Agent entrusted with the duty of superintending the wants of the sick and wounded Officers and men, who have volunteered into Maryland Regiments and are now in the service of the United States. They constitute a class of men who, whilst they merit as a general rule, more than an ordinary share of the attention of their Government, frequently receive even less of it than their more able-bodied comrades.

It is hardly possible to specify precisely all the wants incident to soldiers so disabled, and an attention to which would devolve upon such an Agent. Some of these are very obvious and others will continually occur as the visits of the Agent bring them to his attention. Some we may here enumerate:

1. A sick or wounded soldier being absent from his Regiment when the Pay-Master visits it, is frequently overlooked, and his pay is not only considerably in arrear, but is frequently several months behind that of all others in the Corps.

2. He is often desirous, when he has received his pay, to transmit a part of it to his family at home, and unable to do so from the want of some trusty friend at hand to whom he can confide it.

3. Circumstances may frequently exist which would authorize the transfer of an inmate in some particular Hospital to some other nearer to friends and home, and where the transfer could work no possible detriment to the Government and would be allowed, if some one was at hand competent to make the proper representation.

These, together with innumerable other requirements connected with the personal comfort and proper nourishment of the sick and wounded soldiers, and despite all that is done on such account by our benevolent citizens and societies, would all seem to indicate as a necessity essential to a proper exercise of the care to which such men are entitled, the appointment of some Agent on the part of the State, whose especial business it would be to see that such wants were, as far as possible, supplied.

You are aware that there has been no appropriation by our State heretofore, out of which I could promise compensation to such an Agent, but remembering the interest you have taken in this subject and the gratuitous devotion of your services heretofore in a benevolence of a kindred kind, I am in hopes that you will be willing to undertake the Agency to which I have referred. I will take upon myself to pay out of the Executive contingent fund all reasonable personal expenses connected with your Agency, as you shall from time to time present accounts for the same.

If you accept, as I trust you will, this office of benevolence, you will consider yourself hereby constituted and appointed an Agent for the purpose designated, the first duty connected with which will, of course, be to ascertain by a visit to all the Hospitals in the State or the neighborhood of it, the Maryland soldiers now confined therein, and make a proper list of the same with a note of the condition, &c., of each of them, accompanied with such other remarks as such a visit may suggest.

I am very respectfully,
Your ob't serv't,
A. W. Bradford.

Report of Sebastian F. Streeter,
MILITARY RELIEF AGENT.

To His Excellency, A. W. Bradford,
Governor of Maryland.

Sir:

On the 13th of March last, after a conversation in which was discussed the expediency of appointing some reliable person to act as agent for the State, who, by visiting the Hospitals, seeking out the sick and suffering Maryland soldiers, aiding them with advice or assisting them in obtaining arrears of pay, transfers, furloughs, &c., might prove to them that the sympathies and regards of rulers and people went with them to the sick bed as well as to the tented field, you honored me with a written request that I would assume the duties indicated, in the following terms:

"You are aware that there has been no appropriation by our State heretofore, out of which I could promise compensation to such an agent, but, remembering the interest you have taken in this subject, and the gratuitous devotion of your services heretofore in a benevolence of a kindred kind, I am in hopes that you will be willing to undertake the agency to which I have referred. I will take upon myself to pay out of the Executive contingent fund all reasonable personal expenses connected with your agency. If you accept, as I trust you will, this office of benevolence, you will consider yourself hereby constituted and appointed an agent for the purpose designated."

This appointment of Military Relief Agent I at once accepted, with the understanding that I could devote to the benevolent work only such portions of my time as were not occupied by

the labors of my profession. I adopted the plan of generally leaving the city on Friday, traveling at night, and spending Saturday and sometimes Sunday in visiting Hospitals in different places, and conferring with the inmates belonging to Maryland regiments, and returning to the city on Sunday or Monday morning. In this way I visited the Hospitals in and near the city of Philadelphia, in and near Washington, Frederick, Harper's Ferry, Cumberland, Fortress Monroe and Hampton, Va., and the Hospitals in the city from time to time as I found it convenient.

Attention to the wounded soldiers passing through the city from Gettysburg kept me employed day and night for the first three weeks of July, after which, pressing engagements and absence from the city interrupted my work of visitation for the month of August and part of September.

The result of my work I have recorded in two volumes; one giving the hospitals with their inmates, the other the regiments, classified, with the Hospital in which each man was found; and in each case, the date of visit, name, rank, regiment, company, domestic status with number of children, hospital, ward, bed, date of entrance, disease, date of payment, and such particulars as needed especial attention. These volumes I respectfully submit for your Excellency's inspection. I present, also, a copy of the returns by regiments, in full as a part of this report.

By this tabular return it will be seen that I have visited and personally conferred with over two hundred men of different Maryland regiments, scattered in various hospitals in Pennsylvania, Maryland, Virginia, and the District of Columbia, and have borne to them assurances of the sympathy and interest of the Executive and people of the State, and proffered them such aid as the State through my agency could render. I am happy to say that the moral influence of my visits was even greater than I had expected, and the men seemed cheered by and grateful for the attention thus paid to them.

In some cases, considerable arrears of pay were due; in others, a transfer to a hospital nearer home or a furlough to

visit a suffering family was desired; in others, some especial articles or additional supplies of clothing were asked for; and these and other wants were carefully noted and as far as possible attended to.

Besides the visitation of hospitals and the communications made necessary by the wants of the inmates, I have maintained a correspondence with the commanders of regiments, with the War and Medical Departments, and the soldiers and their families, on subjects connected with the service and their comfort and welfare.

In some cases, I have made personal application to the Surgeon General and other medical officers, to obtain transfers, furloughs, or similar favors from that Department. Various applications and communications transferred to me by your Excellency, have also received my prompt attention.

The relief of the soldiers in hospital in Baltimore, and of the families of men in Maryland regiments has commanded my particular attention. In the former object, I have been materially aided by the Union Relief Association, whose free hospital, containing about fifty beds, and in most admirable condition, has been ever open for the entertainment and kind care of those commended to the attention of the Association. In several instances, discharged soldiers, who were languishing in our midst in the deepest poverty and distress, without means and without hope, have been received into this hospital, most kindly cared for, their last hours soothed and made comparatively comfortable, and their remains at last borne with respect to the grave.

My severest trial has arisen from the misapprehension of the title of "Military Relief Agent," assumed by me. It was at once inferred that I was provided with abundant means of relief by the State, and the wives and mothers of our absent soldiers came in considerable numbers for assistance. Persons who did not know my precise position, and even some who did, directed the needy ones to me to obtain relief. Many I was obliged to disappoint; but in some cases I could not refuse to give, and therefore contributed quite up to the extent of my humble resources for their assistance.

In ascertaining the character and actual condition of these families, and distributing such aid as could be commanded from the loyal and benevolent, I have been much assisted by the assiduous labor of several zealous and patriotic ladies in this city. The result has finally been the organization of a "Ladies' Aid Society, for the Relief of Soldiers' families," to operate in conjunction with the Union Relief Association. A house has been taken near the Relief Rooms, (No. 105 Conway street) and put in order for the reception of applications and the accommodation of a few lodgers. Applications are invited—the cases presented are visited and scrutinized, and if found deserving, assisted; not so much by money as by work and the donation of clothing, provisions and fuel. In some cases, rent also is paid or guaranteed. The children are looked after, and sent, if possible, to day and Sunday School.

In addition to this work, female refugees from the South, in a destitute condition, are received and entertained, until work can be found for them or they can be sent to their relatives or friends.

This, sir, sums up the record of my particular work, and its results. I trust it has not been without its advantages to our brave soldiers and their too often suffering families.

My expenditures, thus far, have been $70; the principal part of which has been for record books and blanks, with some moderate contributions in a few cases, which I felt justified in charging to the State.

With high respect,
Your obdt. serv't,

S. F. Streeter,
Military Relief Agent for the State of Maryland.

Baltimore, Nov. 27th, 1863.

Colonel John S. Berry's

REPORT OF

GETTYSBURG CEMETERY PROCEEDINGS, &C.

Baltimore, December 19th, 1863.

To His Excellency, A. W. BRADFORD, Esq.,
Governor of Maryland,

Governor:—In accordance with your request, I met Commissioners from several of the States at "the Jones' House," Harrisburg, Pa., on the 17th inst., and beg herewith to hand you a copy of our proceedings.

I have the honor to be,
Very respectfully yours,
JOHN S. BERRY.

SOLDIERS' NATIONAL CEMETERY AT GETTYSBURG.

Harrisburg, Dec. 17th, 1863.

The Commissioners appointed by the Governors of the different States, which have soldiers buried in the Soldiers' National Cemetery, at Gettysburg, Pa., met at the Jones' House in Harrisburg, Pa., at 3 o'clock, P. M., on the 17th of December, 1863.

The following named Commissioners were present, viz:

Hon. B. W. Norris, of Maine.
Hon. L. B. Mason, of New Hampshire.
Mr. Henry Edwards, of Massachusetts.
Mr. Alfred Coit, of Connecticut.
Hon. Levi Scobey, of New Jersey.
Mr. David Wills, of Pennsylvania.
Col. James Worrall, of Pennsylvania.

Col. John S. Berry, of Maryland.

Mr. L. W. Brown, of Ohio.

Col. Gordon Lofland, of Ohio.

Col. John G. Stephenson, of Indiana.

Mr. W. Y. Selleck, of Wisconsin.

On motion of Col. Lofland, of Ohio, Mr. David Wills, of Pennsylvania, was elected Chairman of the Convention.

On motion of Col. Stephenson, of Indiana, Mr. W. Y. Selleck, of Wisconsin, was elected Secretary of the Convention.

After some discussion by the members of the Convention, Col. Stephenson, of Indiana, moved that a committee of four, of which the President of this Convention be one, be appointed for the purpose of preparing and putting in appropriate shape the details of the plan in reference to the Soldiers' National Cemetery at Gettysburg, Pa., to be presented to the Convention for their action, which was carried. The committee was appointed as follows:

Chairman, Col. John G. Stephenson, of Indiana; Mr. Henry Edwards, of Massachusetts; Hon. Levi Scobey, of New Jersey; Mr. David Wills, of Pennsylvania.

On motion of Mr. Alfred Coit, of Connecticut, the Convention took a recess to await the action of the committee.

The Convention met again at five o'clock, P. M., to hear the report of the committee.

The committee made the following report:

Whereas, In accordance with an invitation from David Wills, Esq., agent for his Excellency, A. G. Curtin, Governor of Pennsylvania, the Governors of the several States appointed Commissioners, who met at Harrisburg, December 17th, 1863, to represent the States in Convention, for the purpose of making arrangements for finishing the Soldiers' National Cemetery: therefore, be it

Resolved, By the said Commissioners, in Convention assembled, that the following be submitted to the different States interested in the "Soldiers National Cemetery" through their respective Governors:

First, That the Commonwealth of Pennsylvania shall hold the title to the land which she has purchased at Gettysburg for the Soldiers' National Cemetery, in trust for States having soldiers buried in said Cemetery, in perpetuity for the purpose to which it is now applied.

Second, That the Legislature of the Commonwealth of Pennsylvania, be requested to create a Corporation, to be managed by Trustees, one to be appointed by each of the Governors of the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Delaware, West Virginia, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, and of such other States as may hereafter desire to be represented in this Corporation, which Trustees shall, at their first meeting, be divided into three classes. The term of office of the first class to expire on the first day of January, 1865. The second class on the first day of January, 1866. The third class on the first day of January, 1867. The vacancies thus occurring to be filled by the several Governors, and the persons thus appointed to fill such vacancies, to hold their office for the term of three years. This Corporation to have exclusive control of the Soldiers' National Cemetery.

Third, The following is the estimated expense of finishing the Cemetery:

Enclosing grounds, - - - -	$15,000
Burial expenses and superintending, -	6,000
Headstones, - - - - - -	10,000
Laying out grounds and planting trees, -	5,000
Lodge, - - - - - - -	2,500
Monument, - - - - - -	25,000
Total, - - - - - -	$63,500

Fourth, That the several States be asked to appropriate a sum of money, to be determined by a division of the estimated expenses according to representation in Congress, to be expended in defraying the cost of removing and reinterring the dead and finishing the Cemetery, under directions of the Cemetery Corporation.

Fifth, When the Cemetery shall have been finished, the grounds are to be kept in order, the house and enclosure in repair, out of a fund created by annual appropriations made by the States which may be represented in the Cemetery Corporation, in proportion to their representation in Congress.

On motion of Col. Berry, of Maryland, the report of the committee was accepted, and the committee discharged.

It was moved by Col. Berry, of Maryland, that the report of the committee be considered *seriatim*, which was concurred in, and the report was then adopted in detail.

Letters from the Governors of the following States were received by Mr. Wills, Chairman of the Convention, which were not represented by Commissioners, expressing their disposition to approve any reasonable action of the Convention in reference to the completion of the Cemetery at Gettysburg, Pa., viz:

Hon. Horatio Seymour, of New York;

Hon. Austin Blair, of Michigan;

Hon. James Y. Smith, of Rhode Island;

Hon. Wm. Cannon, of Delaware;

Hon. Henry G. Swift of Minnesota.

On motion of Mr. Scobey, of New Jersey, the following committee was appointed by the Chairman, with the view to procure designs of a monument to be erected in the Cemetery:

Hon. Levi Scobey, of New Jersey;

Hon. B. W. Morris, of Maine;

Mr. D. W. Brown, of Ohio;

Col. J. G. Stephenson, of Indiana;

Col. John S. Berry, of Maryland.

On motion of Mr. Alfred Coit, of Connecticut, the plans and designs of the Soldiers' National Cemetery, as laid out and designed by Mr. Wm. Saunders, were adopted by the Convention.

A motion was made by Mr. Coit, of Connecticut, returning thanks to Mr. Wm. Saunders, for the designs and drawings furnished gratuitously for the Soldiers' National Cemetery at Gettysburg, which was unanimously adopted.

Mr. D. W. Brown, of Ohio, offered the following, which was adopted:

Resolved, That Mr. Wm. Saunders by authorized to furnish forty photographs of the plan of the Soldiers' National Cemetery, for the use of the States having soldiers buried therein.

DAVID WILLS, President.

W. Y. SELLICK, *Secretary.*

NUMBER OF BURIALS MADE IN NATIONAL CEMETERY UP TO DECEMBER 19th, 1863. (*According to Memorandum furnished by David Wills, Esq.*)

Maine	59
New Hampshire	14
Vermont	28
Massachusetts	155
Rhode Island	9
Connectiuut	18
New York	449
New Jersey	35
Pennsylvania	230
Deleware	12
Maryland	16
Virginia	3
Ohio	95
Indiana	62
Illinois	3
Michigan	112
Wisconsin	57
Minnesota	43
U. S. Regulars	72
Unknown	800
Total	2,271

RESOLUTIONS OF STATE OF KANSAS,

IN RESPONSE TO

RESOLUTIONS OF MARYLAND LEGISLATURE.

State of Kansas, Executive Office,
Topeka, Feb. 14th, 1863.

His Excellency,
THE GOVERNOR OF MARYLAND:

My Dear Sir:—I have the honor to enclose herewith a certified copy of Concurrent Resolutions, adopted by the Legislature of this State, in response to a communicatiou from the General Assembly of the State of Maryland in relation to the trials through which our Nation is now passing.

With great respect I have the honor to be
Your Ob't Serv't,
THOS. CARNEY.

To His Excellency,
THE GOVERNOR OF MARYLAND:

SIR:—The Legislature of the State of Kansas have adopted the following Resolutions as an expression of the loyal Citizens of the State of Kansas, in reply to your communication from the General Assembly of Maryland, urging us to forbear the further agitation of the Slavery question:

WHILE, on the 3d day of February, the loyal people of the United States are listening, with anxious hearts, the report

from our Armies in the field, who have rallied to defend our Common Country against legions o armed traitors, which now swarm the Southern States, and

Whereas, We believe Slavery to be the sole cause of this unholy rebellion, which now devastates our once happy country, therefore

Be it Resolved, by the House of Representatives of the State of Kansas, the Senate concurring therein, that we appeal, with united voice, to our brethren of the Southern States to discontinue, by every means in their power, all attempts to revive the institution of Slavery, as not only productlve of evil, but, as the history of every age shows, fraught with dangers untold. That the loyal citizens of the memorable State of Maryland have a right to be heard on all subjects which pertain to her present or future welfare, no citizen of Kansas would ever deny; yet, while we sympathize heartily with our friends which the ravages of rebellion have visited with such fatal effect, yet we, the citizens of Kansas, can never silence our tongues to that power which has desolated and devastated our Country. That has assassinated Kansas citizens in their quiet homes, and now stands defiant and deaf to every call of reason and humanity.

2. *Resolved*, That while we would never interfere with any Constitutional right of the people of the Slave States, in the regulation of their own domestic affairs in times of peace, yet, while we see only the paricidal hand of disloyalty and treason extended to us, we deem it but just to avail ourselves of every means which will aid us in crushing this unholy rebellion.

3. *Resolved*, That while we would welcome back those that have been led astray from their allegiance, by designing leaders of this rebellion, we can but believe that our voice should be heard as against oppression in every form.

4. That the Governor be requested to forward a copy of these Resolutions to the Governor of Maryland.

We hereby certify that these Resolutions were adopted by the House of Representatives, the Senate having concurred therein, on the 4th day of February, 1863.

A. R. BANKS,
Chief Clerk H. R.

JOSIAH KELLOGG,
Speaker House of Reps.

State of Kansas, Executive Dep't,
Office of Secretary of State,
Topeka, Feb. 14th, 1863.

I hereby certify the foregoing to be a true copy of the original Concurrent Resolutions on file in my office.

In testimony whereof, I have hereunto set my hand and seal of office.

W. W. H. LAURENCE,
Secretary of State.

REPORT OF

CUMBERLAND COAL & IRON CO.

OFFICE OF THE CUMBERLAND COAL AND IRON CO.,
NEW YORK, 14th February, 1863.

Statement of Coal mined and carried from the mines of the Cumberland Coal and Iron Company, from the 1st of January, 1862, to the 31st December, 1862, inclusive.

Sixty-two thousand one hundred and fifty-three, tons (62,153.)

I, David Palmer, Vice-President of the Cumberland Coal and Iron Company, being duly sworn, do depose and say, that the above statement of the quantity of Coal mined out and carried from the mines of this Company to market, by the Cumberland Coal and Iron Company, for the year ending 31st December, 1862, to the best of my knowledge and belief.

D. PALMER.

Sworn to before me,
this 16th day of February, 1863.

DAN. SEIXAS,
Commissioner for Maryland
In New York.

OFFICE OF THE CUMBERLAND COAL AND IRON CO.,
NEW YORK, 14th February, 1863.

TO HIS EXCELLENCY,

GOVERNOR BRADFORD, *Annapolis, Md.*

SIR:

In conformity with the Eleventh Section of an Act passed at January session, eighteen hundred and fifty-two, amending an Act to incorporate this Company, I have the honor to enclose the report of the Cumberland Coal and Iron Company to 31st December, 1862.

Most respectfully,
Your ob't serv't,
H. ROUSSELL, *Secretary.*

Gov. of Massachusetts enclosing Report of

DISTRIBUTION OF $7.000,

Appropriated by the Maryland Legislature,

FOR THE RELIEF OF

SUFFERERS IN THE RIOT OF THE 19TH OF APRIL, 1861, IN BALTIMORE.

COMMONWEALTH OF MASSACHUSETTS.

EXECUTIVE DEPARTMENT, BOSTON,
March 16th, 1863.

To the Honorable, the Senate:

I have the honor herewith to transmit for the information of the General Court, copies of correspondence which I have had with His Excellency, the Governor of Maryland, showing the disposition which has been made of the sum of seven thousand dollars placed at my disposal by an Act of the General Assembly of that State, on March 5th, 1862, "for the relief of the families of those belonging to the Sixth Regiment of Massachusetts Volunteers who were killed or disabled by wounds received in the riot of the nineteenth of April, in Baltimore." A copy of that Act was transmitted to the General Court of 1862, and is printed in House Document, No. 351, of the series of that year.

JOHN A. ANDREW.

COMMONWEALTH OF MASSACHUSETTS.

EXECUTIVE DEPARTMENT, BOSTON,
March 5th, 1863.

TO HIS EXCELLENCY,

GOVERNOR BRADFORD, *Annapolis, Md:*

SIR:

I have the honor to transmit to you copies of papers, the originals of which have been placed on file in the office of the Treasurer of this Commonwealth, showing the distribution which has been made by me of the sum of seven thousand dollars appropriated and placed at my disposal by the magnanimous Act of March 5th, 1862, of the General Assembly of Maryland, "for the relief of the families of those belonging to the Sixth Regiment of Massachusetts Volunteers who were killed or disabled by wounds received in the riot of the nineteenth of April, in Baltimore."

I referred the duty of investigation into the cases of those sufferers, to a Committee consisting of His Honor, the Lieutenant-Governor of Massachusetts for the political year 1862, and Hon. James M. Shute and Hon. Gerry W. Cochrane, of my Executive Council. The residence of Lieutenant-Governor Nesmith being at the city of Lowell, that of Mr. Shute at the town of Somerville, in the county of Middlesex, and that of Mr. Cochrane at Methuen, in the county of Essex, the district from which the Sixth Regiment was recruited, was immediately under their supervision. Their examination into the facts and needs of each case was patient and thorough, and I adopted their report and distributed the fund according to the award which they submitted.

The annexed Copy, marked [A,] is a transcript of the Report, and that marked [B,] of the receipt sheet showing the names of the recipients, the amounts paid, the dates of payment and the

parties by whom the amounts were receipted for. In the instances in which these receipts are by attorneys, the authority of such attorneys was properly identified by the Committee, and the written powers of attorney are filed with the original papers before mentioned.

I have the honor to remain, with high respect,
Your Excellency's friend and servant,
JOHN A. ANDREW,
Governor of Massachusetts.

[A.]

To his Excellency, JOHN A. ANDREW:

SIR:

The Committee to whom was referred the distribution of the money given by the State of Maryland, for the relief of the families of those of the Massachusetts Sixth Regiment who were killed or wounded in the riot on the 19th of April, 1861, at Baltimore, report:

That a meeting of all persons known to be interested was notified and held at the Council Chamber, at which a large part of the persons interested were present or represented. The mayors of Lowell and Lawrence and the selectmen of Stoneham, were also requested to collect information in relation to the circumstances and means of support of the families of the killed or wounded. Their statements accompany the report to which reference is made. The circumstances and wants of most of the parties interested have also been personally investigated by the Committee. The following award is respectfully submitted:

No. 1,	Samuel H. Needham, of Company I, killed, eight hundred dollars, to be placed in the hands of W. H. P. Wright and George P. Wilson, of Lawrence, in trust for the support of the widow and child of the deceased,	$800 00
2,	Addison O. Whitney, of Company D, killed, six hundred dollars, to be paid to his father, John F. Whitney, of Waldo, Maine. . .	600 00
3,	Luther C. Ladd, killed, three hundred dollars, to be paid to the father of the deceased, John Ladd, of Alexandria, New Hampshire.	300 00
4,	John E. Ames, wounded severely. . . .	1,200 00
5,	Edward Coburn, Company D, wounded severely.	750 00
6.	Daniel B. Tyler, Company D, wounded. .	750 00
7,	Captain John H. Dike, Company L, wounded	500 00
8,	Charles L. Gill, Company L, wounded. .	450 00
9,	James Keenan, Company L, wounded. . .	350 00
10,	William H. Lamson, Company D, wounded	300 00
11,	Charles H. Chandler, Company D, wounded	400 00
12,	Michael Green, Company F, to be paid to his mother.....	100 00
13,	Victor Gingrass, Company I.	100 00
14,	Alonzo Joy, Company I.	100 00
15,	George W. Lovering, Company D. . . .	50 00
16,	Daniel C. Stevens, Company G.	50 00
17,	Gorham Reed, Company A.	50 00
18,	John F. Sweet, Company A.	50 00
19	Charles B. Stinson, Company G.	50 00
20,	Andrew Robbins, Company L.	50 00
	Total.	$7,000 00

JOHN NESMITH,

For the Committee.

[B.]

Dividend of the Maryland Fund for the relief of the families of those of the Massachusetts Sixth Regiment who were killed or wounded in the riot on the 19th of April, 1861, at Baltimore.

We, the subscribers, hereby severally acknowledge that we have received of His Excellency, JOHN A. ANDREW, Governor of the Commonwealth of Massachusetts, the sums set against our names, being the amount awarded us from said fund, by His Excellency, appropriated by the Maryland Legislature, March, 1862.

No.	RECIPIENTS.	Amount.	When Paid.	By whom received.
1	Mrs. S. H. Needham and child	$800 00	Oct. 3, 1862,	W. H. P. Wright, for Mrs. S. H. Needham.
2	John F. Whitney	600 00	Dec. 13, 1862,	John F. Whitney, by his attorney, A. Faunce.
3	John Ladd	300 00	Sept. 19, 1862,	John Ladd.
4	John E. Ames	1,200 00	Sept. 15, 1862,	John E. Ames.
5	Edward Coburn	750 00	Dec. 2, 1862,	Edmund Coburn, by H. Hosford, attorney.
6	Daniel B. Tyler	750 00	Sept. 22, 1862,	Daniel B. Tyler.
7	Captain John H. Dike	500 00	Aug. 30, 1862,	J. H. Dike, by George W. Dike.
8	Charles L. Gill	450 00	Sept. 11, 1862,	Charles S. Gill.
9	James Keenan	350 00	Aug. 30, 1862,	James Keenan.
10	William H. Lamson	300 00	Sept. 27, 1862,	E. A. Alger, attorney for W. H. Lamson.
11	Charles H. Chandler	400 00	Sept, 12, 1862,	C. H. Chandler, by his attorney, B. R. Tilton.
12	Michael Green	100 00	Oct. 14, 1862,	Margaret Green, by George P. Wilson, attorney.
13	Victor Gingrass	100 00	Oct. 16, 1862,	Victor S. Gingrass.
14	Alonzo Joy	100 00	Feb. 14, 1863,	Brown & Alger, attorneys to Alonzo Joy.
15	George W. Lovering	50 00	Nov. 17, 1862,	Brown & Alger, attorneys for said Lovering.
16	Daniel E. Stevens	50 00	Jan. 24, 1863,	Brown & Alger, attorneys for Stevens.
17	Gorham Reed	50 00	Nov. 17. 1862,	Brown & Alger, attorneys for said Gorham Reed.
18	John F. Sweet	50 00	Oct, 4, 1862,	Jno. F. Sweet, alias Jno. F. Swet, by Brown & Alger, atty's
19	Charles B. Stinson	50 00	Feb. 14, 1863,	Brown & Alger, attorneys to Charles B. Stinson.
20	Andrew Dobbins	50 00	Sept. 2, 1862,	Andrew Robbins.

STATE OF MARYLAND.

EXECUTIVE DEPARTMENT, ANNAPOLIS,
March 9th, 1863.

To His Excellency, JOHN A. ANDREW, *Governor of Massachusetts:*

SIR:

I have the honor to acknowledge the receipt of your letter of the 5th inst., inclosing reports of the distribution and payment of the fund of seven thousand dollars provided by the Act of the last General Assembly of this State, for the relief of the families of those of the Sixth Regiment of Massachusetts Volunteers who suffered by the riots of 19th April, 1861, in the city of Baltimore. Our Legislature does not meet again until January, 1864. When it does, I shall communicate to that body your letter and its accompanying report.

I have the honor to be,
With great respect,
Your Excellency's obedient servant,

A. W. BRADFORD.

RESOLUTIONS

Received from

LEGISLATURE OF DELAWARE.

JOINT RESOLUTIONS ON FEDERAL RELATIONS.

Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:

1. That this General Assembly and a large majority of the people of Delaware ardently desire a restoration of the Federal Union upon its original basis; that they will aid in the accomplishment of that result by proper and constitutional means and with a sacred regard for the rights of all the States and the people of all these States, but are unwilling that the Federal compact should be violated by those who administer the functions of government.

2. That the American Union was formed with great difficulty, and on the part of some of the States with serious misgivings and distrusts upon the subject of Federal power, and but for the incorporation in the Constitution of provisions to protect the persons and property of the citizen and his right to free expression of opinion, written and oral, with the understanding afterward expressed by amendment that the powers not granted to the Federal Government by the Constitution nor prohibited

to the States were reserved to the States respectively or to the people, that instrument never would have been made.

3. That under the plea of taking necessary steps to put down the rebellion, but really to tyrannize over political adversaries, citizens of this State as well as of other States have been seized upon arbitrary edict and imprisoned in forts and camps without being informed of the nature of the accusation against them, and finally discharged without trial or the semblance of one—and all this upon the claim of authority from the Federal Government, an outrage upon the rights of the persons arrested, an invasion of the rights of every other citizen, and a reproach to free government; that under the same pretense freedom of speech and of the press have become idle words, as if upon them did not rest the corner-stone of the fabric of our free institutions; that these monstrous usurpations of power are not rebuked by Congress, but tolerated because of the declaration that they are necessary to put down the rebellion: such declaration is utterly false, but if it were true, regarding as we do the preservation of civil liberty paramount to every other consideration, we unhesitatingly declare that the end proposed to be attained is not worth the sacrifice required.

4. That viewing the numerous violations of the Constitution of the United States by the Federal Executive as tending to destroy the liberties of the people and the rights of the States, and the evident intent to carry on the present war for the emancipation of slaves and the subjugation of the Southern States, either of which, if successful, would, in the opinion of this General Assembly, involve the whole country in inevitable ruin and prevent forever a restoration of the Union, we therefore declare, under a solemn sense of the oath we have taken to support the Constitution of the United States, the Constitution of the State of Delaware, and perform our duties as members of this General Assembly with fidelity, that we can give no aid or countenance to a war for such purposes.

5. That this General Assembly and a large majority of the people of Delaware will, in all respects, faithfully support the Constitution of the United States; that they recognize no fealty

or allegiance to any public authority or power other than their own State government and the government of the United States; to their own State government within the sphere of its reserved rights—to the government of the United States within the limits of its delegated authority; that every infraction of the rights of the States and every breach of the Constitution of the United States, is an unwarrantable assumption of power, and that the claim of right to violate either, on the plea of military necessity, is an artful device by persons in authority for the subversion of our form of government and the establishment of another in its stead.

6. That in the opinion of this General Assembly and of a majority of the people of the State, this war ought never to have been made: that it is the result of wickedness on both sides—a perversely obstinate adherence to a fanatical party platform by the administration at Washington, which was seized upon by the people of the States in revolt and made the pretext for a resort to arms, which might and should have been averted by the adoption of the recommendations of the Peace Conference, or taking the sense of the people on certain propositions of constitutional amendment, known as the Crittenden Compromise; that its prosecution for nearly two years has resulted in no good, but in immense loss of treasure and life, and has intensified the feeling of hostility and rendered our questions of difference vastly more complicated and difficult of adjustment.

7. That in the judgment of this Legislature and a large majority of the people of Delaware, the time has arrived for making an effort other than by arms to end this dreadful war; that such effort should be made through the agency of an armistice or cessation of hostilities, and the appointment of delegates from all the States to a National Convention to devise and mature a plan for the settlement of our difficulties, which, whilst it secures the integrity of the Union, shall place the slavery question beyond the reach of fanatical agitators or unreasonable propagandists, and re-establish our Federal Union, by the exercise of generous and magnanimous sentiments, upon a basis as enduring as the continent on which we live.

8. That we are ready to co-operate with the Legislatures of the other States in creating such convention by the appointment of Delegates, and that this Legislature will not adjourn *sine die*, whilst the hope of such a convention remains.

9. That we do most emphatically condemn, and in the name and on behalf of the people of Delaware, protest against the Proclamation of Emancipation issued by the President on the 1st instant, as a flagrant attempt to exercise absolute power under the plea of military necessity; that neither as President nor as Commander-in-chief of the Army and Navy does any such power as the Proclamation asserts reside with the Chief Executive, nor is it lodged elsewhere. Slavery is a legal relation in many of the States, and was so in all of them except one, when the Constitution of the United States was formed, and property in slaves is as much the subject of constitutional protection as property in houses and lands. Just so far in the course of actual military operations as it may be necessary to seize private property for public uses, the Commander-in-chief has power in that character to make such seizure, but just so soon as the necessity for the use of such property ceases, it reverts absolutely to its owner at the time of the seizure. Viewing the foregoing as sound propositions of law, we regard the Proclamation aforesaid as powerless to abolish slavery, but as pregnant with mischief to the cause of the Union and an outrage to our fellow citizens of the other slave States. The assumption that the President of the United States can, by proclamation, abolish the relation of master and slave, and deprive the former of property, amounting under its intended operation to thousands of millions of dollars, is too monstrous to be honestly entertained by a mind unbiassed by prejudice or fanaticism.

10. That this Legislature and a large majority of the people of this State condemn, as gross violations of the Federal Constitution, the attempt on the part of the Executive to control the popular branch of Congress by fraudulent military elections of Representatives, the appointment of military Governors, and the division of a sovereign State without the consent of the people.

11. That the power to suspend the writ of *habeas corpus* is confided to Congress alone, and can only be rightfully exercised when in cases of rebellion or invasion the public safety may require it. The attempt therefore, on the part of the Federal Executive to suspend the *habeas corpus* under any circumstances, is an unwarrantable assumption of power, and especially does the Proclamation of September twenty-fourth, eighteen hundred and sixty-two, declaring "the great writ of right" suspended in certain cases in States not in rebellion, disregard and attempt to overthrow the plain provisions of the Constitution for the protection of the liberties of the people, and will, in the opinion of this General Assembly, if persevered in by the Executive and submitted to by the people, end in the subversion of our Republican form of government.

12. That the invasion of this State by troops in the service of the United States, on the fourth day of November last, being the day of our General Election, was an indignity offered by the Federal administration to the sovereignty of Delaware and an insult to her citizens; that the stationing of armed soldiers at the polls on the day aforesaid was a gross outrage upon the elective franchise and an assault upon free government; that this wicked and premeditated attempt to force by intimidation a concurrence of public sentiment with the views and wishes of the administration at Washington, was alike violative of the dearest rights of the people and dangerous to our free institutions, and was viewed by the honest people of the State, and is regarded by this Legislature, with indignation and alarm. We, therefore, the representatives of a law abiding but gallant constituency do in their name and on their behalf, solemnly protest against this uncalled for and wicked outrage.

13. That "eternal vigilance is the price of liberty;" and that at a time like the present, it behooves the people of every section of our common country to scrutinize the action of the present Federal administration, "the history of which has been a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States."

14. That a copy of the foregoing, signed by the Speakers of the two Houses and attested by the Clerks, be sent to the Governors of all the States in the Federal Union, with the request that they be laid before their respective Legislatures, and also that a copy, authenticated in like manner, be forwarded to each of our Senators in Congress, and to some member of the Federal House of Representatives, with the request that they be laid before their respective Houses.

Adopted at Dover, January 29, 1863.

JOHN GREEN, *Speaker of the Senate.*

JOHN SORAM, *Speaker of the House of Representatives.*

ATTEST:

E. L. MARTIN, *Clerk of the Senate.*

JOHN B. PENINGTON, *Clerk of the House of Representatives.*

Resolutions of Kentucky Legislature

TRANSMITTED FOR THE PURPOSE OF BEING LAID BEFORE THE

GENERAL ASSEMBLY OF MARYLAND.

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT.

Frankfort, March 11th, 1863.

To His Excellency,
THE GOVERNOR OF MARYLAND.

SIR:

I am instructed by the General Assembly to transmit you the enclosed Resolutions, with the request that you lay the same before the Legislature of your State.

Very respectfully,
J. F. ROBINSON.

RESOLUTIONS ON FEDERAL RELATIONS,

ADOPTED BY THE LEGISLATURE OF KENTUCKY.

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1. *Resolved,* That our institutions are assailed by an armed rebellion on one side, which can only be met by the sword; and on the other by unconstitutional acts of Congress, and startling usurpations of power by the Executive, which we have seen by experiment can be corrected by the ballot-box. Policy, as well as principle, requires that Kentucky shall await

the process of reform, which is slow but sure, and refrain from all unlawful and unconstitutional acts which have already brought terrible calamities upon the country ; whilst we invoke the aid of all patriotic men, to avert the evils that threaten our free institutions.

2. *Resolved*, That this General Assembly declares, as before it has often times declared, that the State of Kentucky hath ever been, and is, loyal to the Government of the United States of America, and is determined to maintain that loyalty against both domestic and foreign foes.

3. *Resolved*, That this General Assembly recognizes a manifest difference between any administration of the Government and the Government itself. The one is transitory, limited in duration only to that period of time for which the officers elected by the people are charged with the conduct of the same ; the other is permanent, intended by its founders to endure forever.

4. *Resolved*. That this General Assembly now, in the exercise of its right to differ in opinion with the National Executive, enters its solemn protest against the proclamation of the President of the United States, dated 1st January, 1863, by which he assumes to emancipate all slaves within certain States —holding the same to be unwise, unconstitutional and void.

5. *Resolved*, That this General Assembly declares that the power which has recently been assumed by the President of the United States, whereby, under the guise of military necessity, he has proclaimed and extended martial law over States where war did not exist, and has suspended the writ of *habeas corpus*, is unwarranted by the Constitution, and its tendency is to subordinate civil to military authority, and to subvert constitutional and free government.

6. *Resolved*, That this General Assembly declines to accept the President's proposition for Emancipation, as contained in his Proclamation of the 19th May, 1862.

7. *Resolved*, That this General Assembly deems it proper further to declare, that it, together with all the loyal people of the State, would hail with pleasure and delight any manifes-

tation of a desire on the part of the seceded States to return to their allegience to the Government of the Union, and would, in such event, cordially and earnestly co-operate with them in the restoration of peace, and the procurement of such guarantees as would give security to all their interests and rights.

8. *Resolved*, That Kentucky will adhere to the Constitution and the Union as the best—it may be the last—hope of popular freedom; and for all wrongs which may have been committed, or evils which may exist, will seek redress under the Constitution and within the Union, by the peaceful but powerful and irresistible agencies of the suffrages of a free people.

9. *Resolved*, That this General Assembly hails with pleasurable hope the recent manifestations of conservative sentiment among the people of the non-slaveholding States in their late elections, and regard the same as the earnest of a good purpose on their part to co-operate with all other loyal citizens, give security to the rights of every section, and maintain the Union and the Constitution as they were ordained by the founders of the Republic.

10. *Resolved*, That in the judgment of this General Assembly, a Convention should be called for the purpose of proposing such amendments to the National Constitution as experience has proved to be necessary to maintain that instrument in the spirit and meaning of its founders; and to that end we reaffirm and adopt the resolutions recommending a call for a Convention of the United States, approved January 25, 1861.

11. *Resolved*, That the laws of this State must be maintained and enforced, and that it is the duty of the constituted authorities of the State to see to it, that by all constitutional means this indispensable end shall be attained.

12. *Resolved*, That the Governor be requested to forward a copy of these resolutions to the President of the United States, and to the Governor of each State, with a request that he lay the same before the Legislature of his State, and to each of our Senators and Representatives in Congress. Our Senators are instructed, and our Representatives requested, to use their best efforts to accomplish the objects of these resolutions.

Annual Report of the President & Directors

OF THE

MARYLAND PENITENTIARY,

MADE TO HIS EXCELLENCY,

Augustus W. Bradford, Govenor of Maryland,

JANUARY, 1863.

OFFICERS.

Directors:

John Hurst,	Geo. W. Ward,
Wm. Chesnut,	Sterling Thomas,
E. L. Parker,	John Coates.

President of the Board:
John Hurst.

Secretary of the Board:
Geo. W. Ward.

Warden:
Mark W. C. Thompson.

Assistant Warden:
Isaac G. Roberts.

Physician:
Dr. J. W. Hank.

Matron:
Mrs. N. S. Hartley.

Financial Clerk:
John J. C. Dougherty.

REPORT OF THE DIRECTORS.

MARYLAND PENITENTIARY,
Baltimore, November 30th, 1862.

To the Honorable, A. W. Bradford,
Governor of Maryland:

We have the honor to submit to your Excellency our Annual Report of the operations and condition of this Institution for the last year.

For the statistical information we refer you to the accompanying tables, numbers 1 to 8, inclusive, and for its financial condition, to tables marked A, B, C, D, and E.

By reference to the Clerk's Report, which we submit, it will be seen that in the last year the liabilities of the Institution have been reduced from $36,185.76 to $6,864.21. This has been done by converting all the goods on hand into cash, and applying the proceeds, together with that portion of the appropriation made by the last Legislature, which we have drawn, to the payment of the debts.

We have directed our best efforts to the curtailment of the expenses of the Institution. Notwithstanding the higher prices of most articles consumed, which have prevailed during the last year, they have been diminished by the amount of $1,051.92.

Great difficulty has been found in employing the prisoners. This is owing to the stagnation of business of almost every kind, arising from the peculiar state of the country; affecting individuals as well as public institutions. In October last, three of our Board visited the Penitentiaries in Pennsylvania, New York and Massachusetts, with the purpose of obtaining information which would enable us to introduce some new employments. They found various articles manufactured in those Institutions which have never been made here.

But it would require a costly outlay for machinery to produce them, which we do not believe the Legislature would be willing to incur. Nor in the existing state of affairs are we prepared to recommend it.

We found very little difference in the expense per head, of subsisting the prisoners in the Institutions visited and our own; nor where facilities were not greater, any superiority in their management.

The high prices of raw material have compelled us to suspend to manufacture of dry goods. Nearly the whole revenue of the Institution is now derived from prisoners hired out on contract. The number thus employed is 147, and the revenue derived from them is about $20,000.

We are making our best efforts to increase this number, and have hopes of success during the coming year.

We refer you to the Warden's Report, herewith submitted, for further information as to the condition and employment of the prisoners, and much other information and suggestions, and to the Report of Dr. Hank, the Physician, for their sanitary condition, which has been and continues highly favorable.

John Hurst,
Wm. Chesnut,
E. L. Parker,
John Coates,
Sterling Thomas,
Geo. W. Ward,
Directors.

WARDEN'S REPORT.

MARYLAND PENITENTIARY,

BALTIMORE, *November* 30, 1862.

To the Board of Directors
of the Maryland Penitentiary:

GENTLEMEN:—It becomes my duty, at the end of the fiscal year, to submit to you a statement of the condition of the Institution under our management.

We have in keeping 349 prisoners; 321 males and 28 females; being less by 11 than on the 30th November, 1861. The highest number in prison at any time in the last year was 374; the lowest 333; average, 353.

We have lost during the year ten convicts, eight by death and two by escape.

On the 26th July last, prisoner William Lynch effected his escape while painting the lodges in front of the main building; being aided, as there is reason to believe, by two persons outside, one of whom was a discharged convict. On the 8th August last, prisoner Andrew J. Hoff made his escape. He was confined in a dark cell for an assault on a fellow prisoner, and during his confinement, with the aid of a hoop taken from a bucket, made an opening through the wall dividing his cell from the one adjoining, which was not locked, and just before dark and near lock-up time, passed out of the cell into the yard, where he hid until after dark, and while the watchman was making his rounds, escaped over the western wall. In both cases liberal rewards were offered, and every possible effort made for their capture, but without success.

Owing to the stagnation of business we have been unable to find full employment for the prisoners. During the first half of the fiscal year we had only about sixty of the convicts contracted for. The State employed one hundred and ninety-one in making cotton plaids, carpets, and performing other labor required about the Institution, leaving eighty-five unemployed.

At the present time we have one hundred and forty-seven of the convicts contracted for as follows: to Charles Murdock, making wooden ware, sixty-seven; to Theodore R. Smith, making tin ware, fifty; to F. W. Flinspach & Co., making shoes, thirty; and employed by the State in making mattresses and doing other labor required about the Institution, seventy-three, leaving unemployed one hundred and one.

By the Report of Dr. Hank, you will perceive that the health of the prisoners is good; comparing favorably with their condition in former years.

As your attention has been called in former Reports of the Warden to the number of insane prisoners in the Institution, who ought to be sent to the Asylum for the Insane, I would remark that this evil is increasing. We have additions made to that class every year; thereby increasing the risk of injury to the officers in charge, and the prisoners themselves. As the State expects the labor of the prisoner to sustain him, it will be seen that this class of prisoners must be a tax on the Institution not properly belonging to it, and that their proper place would be in an Institution where they could receive suitable treatment for their malady.

On assuming the duties of Warden in May last, I found the Institution in a clean and tidy condition. During the summer and fall the exterior of the buildings has been improved by painting; putting new roofs on the avenues leading to the eastern and western dormitories; repairing all the roofs, and retopping the chimneys. Improvements have also been made in the gas-fixtures for lighting the dormitories. New pipe has been laid for conveying steam to the wash-house, and many other alterations have been made to increase the convenience and comfort of the female convicts in washing for the Institution.

It will be seen that we have seven female convicts more than we had one year ago, and from the peculiar arrangement of the rooms as well as the scarcity of them, I am compelled to keep sixteen convicts in one room, the evil effects of which, in a sanitary point of view will be apparent, as well as the difficulty in enforcing discipline. I call your favorable notice to the excellent manner in which the Matron, Mrs. Hartley, performs her duties, notwithstanding the ill-construction and want of room in her department. The cleanliness and order there observed, deserve the highest commendation.

The moral condition of the prisoners is good. The Sabbath Schools, both male and female, are well attended. The school for males is superintended by Mr. Wisong ; that of the females by Mrs. Hyde.

The Rev. Dr. Wyatt, notwithstanding his age and infirm health, attends weekly to his class. His labors have been abundant, and I have reason to believe, have been blessed.

We have preaching nearly every Sabbath morning during the year, by Ministers of the different denominations, the good effect of which is apparent in many of the prisoners.

In conclusion, let me return my thanks to you for the kindness and assistance you have rendered me in the discharge of my duties.

MARK W. C. THOMPSON,
Warden.

STATISTICAL TABLES

RELATING TO THE

Prisoners of the Maryland Penitentiary,

For the Year 1862.

TABLE No. 1.

Showing the Number of Prisoners received and discharged since November 30, 1861.

Number of prisoners, November 30, 1861.....		362
Received from December 1, 1861, to December 1, 1862....		102
Total,		464
Discharged by expiration of sentence.....	87	
Pardoned during the year ending Nov. 30, 1862..	18	
Died during the year.....	8	
Escaped during the year.....	2	
Remaining in prison, November 30, 1862.....	349	
		464

Of those received during the year, 72 are white males, 7 white females, 19 colored males, 4 colored females. Total 102.

Of them were convicted for the first time 89, second 10, third 2, and sixth 1. Total 102.

The highest number in prison at any time during the year, was 374; the lowest number 333; and the average number 353.

Of those pardoned, 13 were pardoned by Governor Hicks and 5 by Governor Bradford. Total 18.

TABLE No. 2.

Showing the Occupation of the Prisoners prior to their Conviction.

Artist	1
Attendant at a Billiard table	1
Butchers	9
Bricklayer	1
Bakers	3
Blacksmiths	5
Bootfitters	2
Boatmen	7
Bookbinders	2
Brushmakers	2
Boatbuilder	1
Boilermakers	3
Common Laborers	56
Carpenters	14
Clerks	4
Cooks	3
Coopers	2
Cigarmakers	2
Caulkers	2
Carters	3
Carder and Spinner	1
Cabinet Makers	2
Drayman	1
Engineer	1
Fishermen	3
Farmers	6
Farmhands	64
Glass-cutter and Blower	1
Hucksters	5
House Servants	12
Jeweller	1
Merchant	1
Machinists	5
Millers	3
Millwright	1
Miners	2
Number carried up,	232
Number brought up,	232
Moulders	3
Miscellaneous	20
Nurse	1
Omnibus Thief	1
Ostlers	3
Plumber	1
Plasterers	2
Puddler in Iron Works	1
Porter	1
Pumpmaker	1
Painters	4
Potter	1
Railroad Fireman	1
Runner for Sailor Boarding House	1
Shoemakers	15
School Teacher	1
Sailors	10
Seamstresses	3
Stone Cutters	3
Ship Carpenters	3
Saddler	1
Sawyer	1
Salesman	1
Tailors	9
Tinners	4
Vagrants	9
Upholsterer	1
Weaver	1
Watermen	7
Waiters	2
Washerwomen	3
Letter Carrier	1
Copper Plate Printer	1
Total,	349

TABLE NO. 3.

Showing their different crimes, and the number committing each particular crime.

Murder	6	Number brought up	310
Murder in the first degree	8	Obtaining goods and money under false pretenses	3
Murder in the sec'd degree	35	Burglary and felony	1
Manslaughter	5	Burglary, arson & larceny	1
Felony	1	Rape and stealing horse and Carriage	1
Arson	14	Highway Robbery	1
Rape	5	Setting fire to the Penitentiary Buildings	2
Rape on child five years old	1	Killing horse and mule	1
Assault with attempt to Commit a rape	8	Burglary and Larceny	12
Stealing	13	Stealing Chickens	3
Larceny	123	Assault with intent to kill and Larceny	1
Horse Stealing	10	Burning a Church	1
Assault with intent to kill	33	Passing counterfeit money	7
Burglary	17	Maiming	1
Forgery	2	Assault with intent to rob	1
Robbery	14	Embezzling Letters from the Baltimore Post-office	1
Receiving Stolen Goods	1	Making counterfeit coin	1
Enticing Slaves to run away	7		2
Burglary and assault with intent to kill	6	Total	349
Robbery and assault with intent to kill	1		
Number carried up	310		

TABLE NO. 4.

Showing the Terms for which the Prisoners were Sentenced.

For 4 months							1
For 6	"						2
Between 1	and	2	years				32
	For	2	"				18
Between 2	and	3	"				12
	For	3	"				16
Between 3	and	4	"				10
	For	4	"				24
Between 4	and	5	"				5
	For	5	"				26
Between 5	and	6	"				22
	For	6	"				14
Between 6	and	7	"				12
	For	7	"				6
Between 7	and	8	"				10
	For	8	"				14
Between 8	and	9	"				13
" 9	and	10	"				14
	For	10	"				17
Between 10	and	11	"				7
	For	11	"				1
Between 11	and	12	"				9
Number carried up							285
Number brought up							285
Between 12	and	13	years				3
	For	14	"				2
Between 14	and	15	"				7
	For	15	"				9
Between 15	and	16	"				3
" 16	and	17	"				4
	For	17	"				1
Between 17	and	18	"				8
	For	18	"				3
Between 19	and	20	"				3
	For	20	"				1
Between 20	and	21	"				2
	For	21	"				2
	"	28	"				1
	"	38	"				1
	"	44	"				1
For Life							11
Insane, sentenced until they recover their reason							2
Total							349

TABLE NO. 5.

Showing the Ages of the Prisoners at the time of their Conviction.

Between 12	and	20	years				62
" 20	"	25	"				121
" 25	"	30	"				44
" 30	"	35	"				32
" 35	"	40	"				30
Number carried up							289
Number brought up							289
Between 40	and	45	years				19
" 45	"	50	"				17
" 50	"	60	"				18
" 60	"	70	"				6
Total							349

TABLE NO. 6.

Showing the grades of education, habits of life and social relations; how many did or did not attend Sunday School; how many were and were not bound out; how many did or did not lose their fathers and mothers before growing up, as reported by themselves.

Can read and write	156	
Can only read	54	
Cannot read or write	135	
Received a good education	4	
		349
Attended Sunday School	171	
Did not attend Sunday School	178	
		349
Never bound out	275	
Bound and served till 21	44	
Bound and left their masters	11	
Slaves	19	
		349
Habitually intemperate	8	
Occasionally intemperate	269	
Moderate drinkers	27	
Strictly temperate	45	
		349
White Males	245	
White Females	15	
Colored Males	76	
Colored Females	13	
		349
Married	117	
Unmarried	215	
Widowers	13	
Widows	4	
		349
Left Orphans	41	
Not left Orphans	308	
		349
Convicted for the 1st time	314	
" " 2d "	25	
" " 3d "	5	
" " 4th "	2	
" " 5th "	1	
" " 6th "	1	
" " 9th "	1	
		349

TABLE NO. 7.

Showing the County or State where the Prisoners were born.

AMERICANS BORN IN		FOREIGNERS BORN IN	
Maryland	206	Germany	41
Pennsylvania	15	Ireland	31
New York	11	England	9
Massachusetts	1	Prussia	2
Delaware	2	Russia	1
New Jersey	2	Upper Canada	2
Washingson, D. C.	2	Italy	1
Georgetown, D. C.	1	France	1
Missouri	1	Belgium	1
Maine	1	Switzerland	1
Illinois	1		
Indiana	1	Total	90
Georgia	1		
Vermont	1		
Virginia	13		
Total	259		

Of the MARYLANDERS *there were born in*

Baltimore City		74	Number brought up		163
Baltimore County		6	St. Mary's County		2
Talbot	"	7	Cecil	"	9
Somerset	"	6	Queen Ann	"	2
Dorchester	"	16	Caroline	"	5
Worcester	"	14	Prince Geo's	"	6
Harford	"	6	Carroll	"	6
Frederick	"	4	Charles	"	3
Washington	"	10	Calvert	"	6
Kent	"	5	Alleghany	"	3
Anne Ard'l	"	10	Howard	"	1
Montgomery	"	5	Total		206
Number carried up		163			

TABLE NO. 8.

Showing the County or Court from which the Prisoners were sent.

Alleghany	County	14	
Anne Arundel	"	21	
Baltimore	City	120	
Baltimore	County	57	
Cecil	"	14	
Charles	"	2	
Caroline	"	4	
Carroll	"	8	
Calvert	"	3	
Dorchester	"	7	
Frederick	"	6	
Howard	"	9	
Number carried up		265	
Number brought up			265
Harford	County		22
Kent	"		2
Montgomery	"		3
Prince George's	Co.		9
Queen Anne	"		5
Somerset	"		2
St. Mary's	"		2
Talbot	"		11
Washington	"		11
Worcester	"		13
U. S.	Court		4
Total			349

Clerk's Report.

MARYLAND PENITENTIARY,
Baltimore, November 30, 1862.

To the President and Directors
of the Maryland Penitentiary:

Gentlemen:—I most respectfully herewith submit to your Honorable Board the following statement and those annexed, taken from the books of the Institution:

Liabilities:		
Bills Payable		$3,044 22
Open Accounts		3,433 28
Amount due the prisoners not included in general accounts		386 71
Surplus		911 80
		$7,776 01
Resources:		
Bills Receivable		$758 63
Cash		957 63
Open Accounts		5,243 88
Goods, Materials, &c., on hand,		
Mattresses	$498 55	815 87
Weaving	317 32	
		$7,776 01

We have also on hand as per inventory, the following: dye stuffs, $702 18; provisions, $711 11; fuel, $1,570.

Respectfully,
Jno. J. C. Dougherty,
Clerk.

TABLE A.

INVENTORY.

Of Goods, &c., on hand, belonging to the Maryland Penitentiary, November 30, 1862.

Weaving Account:		
For Warps, Yarn, &c., on hand	$ 317 32	
Implements and Fixtures	2,897 05	
		$ 3,214 37
Dyeing Account:		
For Dye Stuffs on hand	702 18	
" Implements and Fixtures	560 10	
		1,262 28
Carding and Spinning Account:		
Steam Engine and Implements		
		3,904 50
Smithing Account:		
Stock on hand		
		342 75
Coopering Account:		
Implements and Fixtures		
		19 76
Clothing Account:		
Sundry articles of Clothing, new and in use, materials, Boots and Shoes on hand		
		4,094 59
Fuel Account:		
Fuel on hand		
		1,570 00
Provisions Account:		
Provisions on hand		
		711 11
Household Account:		
Furniture in front building, hospital, female department, force pumps, horse, gas machine, hose, wagons, cart, carriage harness, &c		
		5,652 29
Furniture and Bedding Account:		
Sundry articles of Furniture, cots, comforts, blankets, &c		
		3,907 85
Mattress Account:		
Stock on hand		
		498 55
		$25,178 05

TABLE B.

MARYLAND PENITENTIARY.

1862.	Dr.	
Nov. 30.	To Treasurer's department, balance of account	$ 56,000 00
	To arrearages of interest. Interest on loans	121,459 66
	To bills payable, for balance of account	3,044 22
	To aggregate of amount of unpaid ac'ts	3,433 28
	To stock, for balance, being net capital of the Institution	129,847 01
		$313,784 17
1862.	Cr.	
Nov. 30.	By cash, for balance on hand	$ 957 63
	By bills receivable on hand	758 63
	By aggregate of amount of unpaid accounts	5,243 88
	By sundries, per inventory	25,178 05
	By Lot and Building	281,645 98
		$313,784 17

TABLE C.

Summary Statement of the Expenses of the Maryland Penitentiary from December 1st, 1861, to November 30th, 1862.

For clothing	$ 1,865 37
For fuel	3,733 17
For provisions	12,783 94
For household—consisting of hospital, repairs, and general expenses	6,309 62
For salary of officers—amount paid Warden, Asssistant Deputies, Clerk, Physician, Matron, &c.	15,534 32
For prisoners discharged—amount paid prisoners upon their discharge	213 75
Amount paid Directors for attendance at meetings of the Board	1,446 00
For Discount—amount paid for the use of money, &c.	1,023 33
For Insurance—building and stock	246 50
	$43,156 00
Nov. 30, 1862.	
By amount received from the State upon account of salary of officers	$ 8,000 00
By Balance	35,156 00
	$43,156 00

TABLE D.

Profit and Loss of the Maryland Penitentiary, Nov. 30th, 1862.

1862.		
Nov. 30.	To Carding and Spinning	$ 348 05
	To Coopering	6 24
	To Fuel	3,733 17
	To Salary of Officers	7,534 32
	To Prisoners Discharged	213 75
	To Per Diem of Directors	1,446 00
	To Discount	1,023 33
	To Provisions	12,783 94
	To Household	6,309 62
	To Dyeing	668 26
	To Clothing	1,865 37
	To Insurance	246 50
	To Duvall, Keighler & Boyd	1,008 95
		$37,187 50
1862.		
Nov. 30.	By Smithing	$ 106 54
	By Furniture and Bedding	189 87
	By Mattresses	4,885 42
	By Admittance	2 50
	By Hire	10,364 90
	By Weaving	5,486 47
	By Stock	16,151 80
		$37,187 50

TABLE E.

Stock Account of Maryland Penitentiary.

1862.		
Nov. 30.	To arrearages of interest	$ 4,897 36
	To profit and loss	16,151 80
	To balance	129,847 01
		$150,896 17
1861.		
Nov. 30.	By balance	$130,896 17
1862.		
April 30.	By cash, 1st instalment of special appropriation	10,000 00
June 30.	By cash, 2d instalment of special appropriation	10,000 00
		$150,896 17

STATE OF MARYLAND—City of Baltimore, Sct.

Mark W. C. Thompson, Warden, and John J. C. Dougherty, Clerk of the Maryland Penitentiary, being this day duly sworn by me, depose and say that the foregoing statements, marked A, B, C, D and E, contain a true account of the affairs of the said Penitentiary, for the year ending 30th November, 1862, to the best of their knowledge and belief.

MARK W. C. THOMPSON, *Warden.*
JOHN J. C. DOUGHERTY, *Clerk.*

Baltimore, December 15th, 1862, subscribed and sworn to

John B. Wheat, *Justice of the Peace.*

PHYSICIAN'S REPORT.

MARYLAND PENITENTIARY,
BALTIMORE, *November* 30, 1862.

Gentlemen of the Board of Directors:

I herewith submit my report of the health and mortality of the Maryland Penitentiary, during the past twelve months.

One hundred and thirty-six patients have been treated in the Hospital; and three thousand six hundred and forty-two prescriptions have been given from the office.

The cases treated in the Hospital were as follows:

Abscess	10	Brought forward	74
Asthma	1	Intermittent Fever	6
Brain, softening of	1	Neuralgia	4
Bronchitis	4	Phthisis	5
Catarrh	7	Pneumonia	3
Convulsions	1	Pleuritis	1
Diarrhœa	10	Remittent Fever	1
Dropsy	3	Rheumatism	16
Enteritis	5	Sprains	2
Erysipelas	1	Scurvy	1
Fistula in Ano	2	Syphilis	2
Gastric Derang	11	Typhoid Fever	5
General Debility	12	Ulcers	3
Hemorrhoids	1	Wounds	13
Influenza	5		136
Forward	74		

Cases in Hospital,	136
Prescriptions in Office,	3,642

Eight deaths have occurred this year.

John Hughes, white, aged 26, died December 11th, 1861, of Phthisis.

Theodore Ahrens, white, aged 42, died February 1st, 1862, of Dropsy.

Henry Williams, black, aged 35, died March 7th, of Phthisis.

Adam Blythe, white, aged 76, died April 23d, of Cancer.

Adam Hortig, white, aged 64, died May 29th, of Enteritis.

William Coonan, white, aged 26, died June 18th, of Typhoid Fever.

John Button, white, aged 27, died July 18th, of Phthisis.

Lewis Swaid, black, aged 40, died August 8th, of Dropsy.

In the Female Department no case of disease worthy of notice has occurred.

Respectfully submitted,

J. WM. HANK, M. D.

TWELFTH ANNUAL REPORT

OF THE

MANAGERS OF THE HOUSE OF REFUGE,

MADE DURING THE RECESS OF THE

Legislature of Maryland,

TO HIS EXCELLENCY, GOVERNOR BRADFORD,

January, 1863.

FORM OF A BEQUEST.

Money Legacy.

"*I give and bequeath unto the* 'House of Refuge' (*incorporated by the General Assembly of Maryland, Feb.* 1831,) *the sum of* *to be paid to the Treasurer for the time being, for the use of said Society.*"

Devise of Real Estate.

"*I give and devise unto the* 'House of Refuge,' (*incorporated by the General Assembly of Maryland, Feb.* 1831,) [*here describe the property or ground rent,*] *together with the appurtenances, in fee simple.*"

Managers and Officers of the House of Refuge, 1862.

President.

CHARLES M. KEYSER.

Treasurer.

WILLIAM BAKER.

Secretary.

DR. JOHN J. GRAVES.

Managers on the part of the Subscribers.

William Baker,
Charles F. Mayer,
Charles D. Slingluff,
Benjamin Deford,
Dr. John J. Graves,
B. A. Vickers,
Dr. J. I. Cohen,
Rev. Franklin Wilson,
Thomas Wilson,
George S. Brown.

On the part of the City.

Charles M. Keyser,
E. M. Greenway, Jr.
Enoch Pratt,
John R. Kelso,
John R. Moore,
Edward T. Church,
Edmund Smith,
Rev. George P. Nice,
George Rogers,
George Small.

On the part of the State.

W. Woodward,
Anthony Kimmell,
Dr. —— Ward,
Samuel Hindes.

Executive and Indenturing Committee.

Charles M. Keyser,
Dr. John J. Graves,
Charles D. Slingluff,
Benjamin Deford,
B. A. Vickers,
E. M. Greenway, Jr.
George Small,
Enoch Pratt,
George S. Brown,
John R. Kelso.

School and Chapel Committee.

Dr. John J. Graves,
Rev. Franklin Wilson,
John R. Moore,
Rev. George P. Nice,
Edward T. Church.

Law Committee.

Charles F. Mayer,
Dr. J. I. Cohen.

Finance Committee.

W. Woodward,
Samuel Hindes,
George S. Brown.

Ladies' Committee.

Mrs. Isabella Brown,
Miss Margaret Purviance,
Mrs. Margaret White,
Mrs. Julia A. Wilson,
Mrs. A. J. Graves,
Mrs. B. Deford.

Superintendent.

W. R. Lincoln.

Assistant Superintendent.

F. D. Morrison.

Girls' Matron.

Miss Margery Hay.

Physician.

Thomas F. Murdoch, M. D.

Teachers.

Mrs. S. G. Pryor,
Miss Kate Mahon,
Miss T. A. Hulls,
Miss M. A. Patrick,
F. D. Morrison.

ANNUAL REPORT.

To His Excellency, Augustus W. Bradford,
Governor, &c.

Sir:—The Board of Managers of the *House of Refuge* for Juvenile Delinquents herewith respectfully present their Twelfth Annual Report. The Charter exacts from them that a statement of the condition of the Institution shall be made yearly to the General Assembly, but that body not being in session, the Board have the honor to submit their report to your consideration.

In almost every respect, the Board have the pleasure to congatulate themselves upon the continued successful operation of the Refuge; and this they do the more confidently, that notwithstanding existing circumstances, but few of their effects have been experienced, except in the increased cost of many of the necessaries of maintenance. It is true that this enhanced price of many articles enforced a more rigid economy: but in no way have the inmates suffered by a deprivation of any of their accustomed comforts of clothing, or subsistence, or in their means of education; and the year has closed with all debts on general account fully paid.

The appended statement of the Treasurer, exhibits the financial condition of the Institution; by which it will be seen that the *receipts* from all sources, for the year 1862, were *twenty-eight thousand, three hundred and seveny-six dollars and eighteen cents* ($28,376.18); and the *expenditures* for all purposes were *twenty-seven thousand, four hundred and six dollars and thirty-two cents* ($27,406.32); thus leaving in the treasury, on the 31st of December, the sum of *nine hundred and sixty-nine dollars and*

eighty-six cents ($969.86). This balance, however, it ought to be observed, is really only apparent, it being more than absorbed by the claim of a "reserve fund" (made up of invested legacies for special purposes) to the amount of $1,134.10; and so, in fact, leaving a deficit equal to the difference, say $164.24, in the cash account for general purposes.

Now, taking from the foregoing sum of total expenditures the several sums paid for permanent improvements, and the actual cost was $25,097.09. Commencing the year 1862 with 285 children in the Institution, we closed with 329. The average number in 1861 was 301, while in 1862 it was 308½. Taking then, the actual general cost as above, it will be seen that the daily cost per head was 22$\frac{29}{100}$ cents, a rate a little increased over that of 1861, but still, under all the circumstances of the largely increased prices, a sum sufficiently moderate to evidence the frugal management of the Institution in the education, care-keeping, clothing and subsistence of the inmates.

To meet the wants of the Refuge during the current year, the Board have only at their command four instalments of the State's appropriation, severally payable in March, June, October, and December, each for $2,500, making in all the sum of $10,000. If we take, then, the sum of actual expenditures for general support of last year as the basis of estimate for the present year, and deduct therefrom the amount just named as available, it will exhibit a deficiency of, say $17,000, in round numbers, which must be sought to be supplied, as our only resource, from the City Treasury by the usual appropriation. This estimate, however, it will be observed, includes no possible contingent expenditures, and is made, as to the rest, upon the supposition that there will be no increase of inmates, and that all articles of necessary supplies shall, at least, not exceed in cost the present prices, a supposition which, from special uncertainties, it would be useless to discuss. The House of Refuge is now so well known to the community, its children have been so widely scattered through the State as apprentices, and its reception of inmates from the several counties is yearly becoming so much more frequent, that it is rendered unnecessary, at this day, to urge any

special argument in its behalf; while in the city, it may be safely said that it has secured for itself a popularity not surpassed by any of the humanitarian institutions that have sprung from and exist by the philanthropic spirit and large beneficence of its citizens. It is therefore, only needed, we believe, honestly to exhibit its wants, to secure for it a ready bestowal of the required supplies.

In all institutions similar in character to the House of Refuge, and with so large a number of inmates, who, in a majority of instances, have the most pernicious antecedents, there exists, of course, almost every degree of abnormal mental development. The right education of the intellectual nature of the child is the one object of all reformatories, and therefore, should enlist the highest interest, as it exacts the most judicious and unwearied endeavor. Every available element of culture—physical, moral, and religious, should necessarily be pressed into service. Hence, much attention has been given to our day-schools, now five in number, as well as to the Sabbath school and the Chapel services. Believing, too, that cultivated music may be made an important adjunct to these, even in an intellectual point of view, when rightly taught, the Board have fostered with special attention, a more than ordinary devotion to this science. An educated ear and an educated voice are only educated senses, and, so far, are physical helpers not only to the development of a dormant musical talent—of which we have some striking instances—but have their moral influence on the impressible minds of the children, soothing and humanizing their harsher and uncultivated feelings. To bring in the aid of this science as an important auxiliary in moral culture, and as a refining recreation, the inmates, both girls and boys, and from the smallest to the largest, are taught to sing by note and in parts; and from this systematic tuition, their choral performances are marked by a fine observance of time, and hence, with regulated harmony. Besides this cultivation of vocal music, in which all participate, there is a full military brass band, and also, an orchestral band; and lest some rigid economist may be startled at the apparent expense of what may seem to him only a luxury, we may here as well observe that all this is effected without any draft on the

funds of the Institution, except a very small salary to the teacher of instrumental music,—a yearly public concert yielding sufficient proceeds to defray the expense of instruments, repairs, books, and other incidentals, the surplus forming an invested fund to secure the treasury proper against any future demands for these accounts.

The girls are regularly taught music in their own building, by the lady of the Superintendent, whose ability as a teacher is evidenced by the proficiency of her pupils. She also conducts the singing in the Chapel with organ accompaniment. For all this voluntary service the Board acknowledge a debt of gratitude. To Professor Albert Holland for his instructions, especially in instrumental music, and cheerful leadership on public occasions, the Board are under many obligations.

The Common Schools have two daily sessions, under the care of one male and four female teachers. The character of their pupils is such as to demand much patience and more than ordinary forbearance. Their task is no common one; and the kindness and yet decision with which their duties are performed, and the marked improvement in the discipline and neatness of their scholars, merit the sincere commendation of the Board.

In religious culture, besides the daily family services of the whole House, the children continue to enjoy the instruction of a corps of Sabbath-school teachers, under the superintendence of Mr. Jason Rogers. Coming from the city, and submitting to the discomfort of the usual accompaniments of the seasons, many thanks are due for their willing labors and their devotion to the good cause in which they have so earnestly engaged.

The Chapel Sabbath services have been regularly conducted by the voluntary attendance of ministers of various denominations. Some of the ablest divines in the city have felt it a pleasure to address the children; and it is very satisfactory to know that a hearty expression of gratification is so generally made by these excellent friends, both as to the attention given to their instructions as well as to the pleasure received from the well regulated, stirring, and not unfrequently, the touching harmony of a congregation of over three hundred young voices.

In regard to statistical details and other matters in connection with the general condition of the Institution, reference is respectfully made to the annexed reports of the Superintendent and other officers. To him the Board would give a sincere expression of their approbation, and especially for his tact in discipline. To his business habits, also, very much is due for the economical management of the House : his forecast has often been found invaluable. To his subordinates a word of commendation is also due for their interest in the Institution and their faithfulness in the performance of their duties.

In behalf of the Board of Managers,

CHARLES M. KEYSER, *President.*
JOHN J. GRAVES, *Secretary.*

Baltimore, January 1st, 1863.

DR. *House of Refuge in account with* WILLIAM BAKER, *Treasurer.* CR.

1862			1862.		
Decem'r 31	To Cash paid Discount on City of Baltimore Notes	$122 11	January 1	By Cash with Alexander Brown & Sons	$2,186 83
" " "	Insurance this year	162 52	August 4	" 3 Notes due this day from City of Baltimore, $2,000 each $6,000	
" " "	on Female House	250 00	December 4	" 3 Notes due this day from City of Baltimore, $2,000 each 6,000	
" " "	General Exponses this year	26,871 69	Sept'mbr 8	" 1 Note due this day from City of Baltimore.. 1,200	
" "	balance in hands of Alex. Brown & Sons	969 86			13,200 00
			April 8	" Donation from Mrs. Isabella Brown, widow of George Brown, Esq	1,000 00
			December 9	" Cash from the State of Maryland, in quarterly payments	10,000 00
			" "	in quarterly payments for interest an Certificate for $810.02, City Stock	48 60
			" "	for labor of boys, &c., &c	1,940 75
		$28,376 18			$28,376 18
Decem'r 31	To Cash due "Reserve fund" of Legacies &c. $1,134 10		Decem'r 31	By Cash with Alexander Brown & Sons, Bankers	$969 86
	Balance, as *per Contra* 969 86				
	Actual deficit on all accounts	164 24			

WM. BAKER, *Treasurer.*

We, the undersigned, having examined the foregoing *Statement*, and compared the same with the books and vouchers, find it correct—there being a balance in the hands of the Treasurer (with Alexander Brown & Sons,) due the House of Refuge on *General Account*, the sum of nine hundred and sixty-nine dollars and eighty-six cents, subject, however, to a claim of "Reserve Fund" of eleven hundred and thirty-four dollars and ten cents, and so leaving an actual deficit, an *all* accounts, of one hundred and sixty-four dollars and twenty-four cents.

BALTIMORE, December 31, 1862.

WM. WOODWARD, }
SAM'L HINDES, } *Finance Committee.*

"RESERVE FUND."

Legacies received since August 1st, 1853, to December 31st, 1862, and all interest received on $801 02, from City Stock, and $2,916 57 due by Richard Colvin in five years from June 1st, 1859; all which funds, as received, were deposited to the credit of the House of Refuge, (except the Certificate of City Stock for $810 02,) and on which account $1,134 10 are due by the General Funds on this 31st of December, 1862.

August 8, 1853	Legacy from Margaret Burk	$97 50
May 25, 1854	" " Fielding Lucas	500 00
Aug. 14, 1855	" " Mary Boyd	100 00
June 9, 1856	" " Leonard Jarvis	812 42
Oct. 31, 1856	" " Balance from Executors	4 99
Jan. 29, 1861	" " Joel Vickers	100 00
To June 1, 1860	Rent " Richard Colvin	170 63
To Oct. 1, 1862	All Interest received on $810 02 invested in Baltimore City Stock, to this day	158 58
		$1,944 12
	Certificate of City Stock	810 02
Dec. 31, 1862	Due by General Cash Account	$1,134 10

BALTIMORE, December 31, 1862.

WM. BAKER, *Treasurer.*

NOTE.—The above named fund was originated December, 1859, and is constituted of legacies, not otherwise directed by the donors, as well as of special donations of sufficient amounts to make their reservation of moment, together with all interest accruing on the investment. These monies are only to be appropriated to permanent improvements. Our present object is, the erection of a range of workshops, either separate from, or as an additional wing to the main building. This would be even now a most desirable improvement—in a few years it will become absolutely necessary. To prepare for this necessity so as to incur no debt for the structure, it was thought only prudent to begin in advance to lay aside a fund, and although as yet it is but a very small nucleus, still it is hoped that in time its proportions will swell into a sum equal to the anticipated cost. Hitherto we have found liberal helpers in time of need, and see no reason now to distrust the future.

SUPERINTENDENT'S REPORT.

To the Board of Managers of the House of Refuge:

GENTLEMEN.

The Superintendent respectfully reports, that the whole number of children received into the Refuge since its opening, December 5th, 1855, is 958; boys 799, girls 159.

The following tables will show the number received and disposed of during the year, with important facts, showing the results of our operations:

TABLE I.

Showing the number received and discharged, and the general state of the Institution for the year ending December 31st, 1862.

	BOYS.	GIRLS.	TOTAL.
In House, December 31st, 1861	257	28	285
Committed since	110	22	132
Received as Boarders	8	2	10
Returned voluntarily, after being indentured	8	1	9
" by Master	3	1	4
Whole number in House during the year	386	54	440
Indentured	33	7	40
Discharged	55	4	59
Escaped	2	1	3
Rejected as improper subjects	0	1	1
Deceased	7	1	8
	97	14	111
Remaining in House, December 31st, 1862	289	40	329

Average time those discharged were in the Institution: boys, 27¼ months; girls, 20¾ months.

Average number in the institution during the year: boys, 273½; girls, 35; total, 308½.

Of the 33 boys indentured, 15 were to farmers, 1 as clerk, 8 to shoemakers, 1 to blacksmith, 1 to baker, 2 to woolen manufacturers, 2 to millers, 2 to gardeners, and 1 to machinist.

The 7 girls indentured were all to housewifery.

100 boys and 18 girls received this year were committed by Justices of the Peace from Baltimore City, 2 boys by the Baltimore City Criminal Court, 1 boy by the Circuit Court of Washington County, 5 boys and 2 girls by Justices of Peace of Baltimore County, 1 girl from Kent County, 1 boy from Washington County, 1 boy from Howard County, and 8 boys and 2 girls received as boarders.

TABLE II.

Showing admissions, discharges, and the number of inmates at the close of each month.

1862.	ADMISSIONS.		DISCHARGES.		No. at CLOSE of MONTH.		
	BOYS.	GIRLS.	BOYS.	GIRLS.	BOYS.	GIRLS.	TOTAL.
January	3	0	5	0	255	28	283
February	9	1	3	0	261	29	290
March	15	0	10	1	266	28	294
April	12	5	7	0	271	33	304
May	13	0	12	0	272	33	305
June	14	5	8	0	278	38	316
July	17	3	10	3	285	38	323
August	6	1	4	3	287	36	323
September	11	3	10	2	288	37	325
October	9	3	12	3	285	37	322
November	8	2	7	1	286	38	324
December	12	3	9	1	289	40	329

TABLE III.

Showing the offences for which they were committed.

	BOYS.	GIRLS.	TOTAL.
Incorrigible Conduct	51	11	62
Vagrancy	15	5	20
Vicious Conduct	10	1	11
Stealing	22	3	25
Street Beggars	12	2	14
Received as Boarders	8	2	10
Total	118	24	142

TABLE IV.

Showing the ages of those received during the year and the average.

	BOYS.	GIRLS.	TOTAL.
Six years of age	0	1	1
Seven " " "	3	0	3
Eight " " "	10	2	12
Nine " " "	10	5	15
Ten " " "	8	2	10
Eleven " " "	17	4	21
Twelve " " "	29	7	36
Thirteen " " "	16	2	18
Fourteen " " "	8	0	8
Fifteen " " "	12	0	12
Sixteen " " "	5	1	6
Total	118	24	142

Average age of Boys, 11 years, 9 months.—Girls, 10 years, 8 months and 7 days.

TABLE V.

Showing the length of time the children had been in the Institution, who left the past year.

TIME.	BOYS.	GIRLS.	TOTAL.
In House one month or less	2	2	4
" 2 months "	3	0	3
" 3 " "	2	0	2
" 4 " "	4	0	4
" 6 " "	5	0	5
" 7 " "	1	0	1
" 8 " "	4	0	4
" 10 " "	2	0	2
" 11 " "	1	0	1
" 12 " "	4	0	4
" 13 " "	1	1	2
" 14 " "	1	0	1
" 15 " "	2	0	2
" 16 " "	2	1	3
" 18 " "	2	0	2
" 19 " "	0	2	2
" 20 " "	2	0	2
" 21 " "	4	1	5
" 23 " "	0	1	1
" 24 " "	1	1	2
" 25 " "	6	1	7
" 27 " "	5	1	6
" 28 " "	3	1	4
" 29 " "	2	0	2
" 30 " "	4	0	4
" 31 " "	1	0	1
" 32 " "	1	0	1
" 33 " "	2	0	2
" 36 " "	1	1	2
" 37 " "	2	1	3
" 38 " "	1	0	1
" 39 " "	3	0	3
" 41 " "	1	0	1
" 42 " "	3	0	3
" 44 " "	1	0	1
" 46 " "	1	0	1
" 47 " "	3	0	3
" 50 " "	1	0	1
" 52 " "	1	0	1
" 56 " "	1	0	1
" 58 " "	3	0	3
" 59 " "	1	0	1
" 60 " "	1	0	1
" 62 " "	1	0	1
" 63 " "	1	0	1
" 64 " "	1	0	1
" 68 " "	1	0	1
" 74 " "	2	0	2
Total	97	14	111

TABLE VI.

Showing the parentage of all received during the year.

	BOYS.	GIRLS.	TOTAL.
Baltimore City	10	9	10
Other parts of Maryland	9	1	10
Washington, D. C.	1	0	1
Virginia	3	0	3
Pennsylvania	2	0	2
New York	2	0	2
Ohio	1	0	1
Louisiana	1	0	1
England	4	0	4
Ireland	36	3	39
Germany	41	8	49
Scotland	2	0	2
Italy	1	0	1
Unknown	5	3	8
Total	118	24	242

TABLE VII.

Showing the nativity of all received during the year.

BIRTHPLACE.	BOYS.	GIRLS.	TOTAL.
Baltimore City	74	11	85
Other parts of Maryland	10	1	11
Washington, D. C.	4	1	5
Virginia	3	0	3
Pennsylvania	2	0	2
New York	3	0	3
Massachusetts	1	0	1
Ohio	1	0	1
Indiana	1	0	1
Wisconsin	0	1	1
England	1	0	1
Germany	10	7	17
Ireland	5	1	6
Italy	1	0	1
Unknown	2	2	4
Total	118	24	142

TABLE VIII.

Their domestic condition, showing the number that have lost their fathers or their mothers, or both parents; and also the habits of their parents, as to temperate, intemperate, or separated.

	BOYS.	GIRLS.	TOTAL.
Have lost their father	50	3	53
" " " mother	10	2	12
" " both parents	28	3	31
Whose fathers were temperate	49	8	57
" " " intemperate	39	7	46
" mothers " "	15	2	17
" parents " separated	21	1	22

TABLE IX.

Showing their literary attainments when received and discharged.

	BOYS.	GIRLS.	TOTAL.
Of the 142 received:			
Did not know the alphabet	18	9	27
Knew alphabet only	24	4	28
Beginning to read	20	0	20
Could read easy lessons	23	3	26
" " books generally	23	8	31
" cypher in Addition	0	3	3
" " " Subtraction	1	0	1
" " " Multiplication	3	0	3
" " " Division	16	0	16
" " " Fractions	4	0	4
Had studied Geography	18	3	21
" " Grammar	12	1	13
Could write	19	3	22
Those discharged:			
Knew alphabet only	3	0	3
Beginning to read	6	0	6
Could read easy lessons	14	2	16
" " books generally	61	10	71
" cypher in Addition	4	2	6
" " " Subtraction	4	0	4
" " " Division	5	0	5
" " " Reduction	14	3	17
" " " Fractions	15	2	17
" " " Interest	9	0	9
" " " Partnership	9	0	9
" write	78	11	89
Had studied Geography	78	9	87
" " Grammar	9	5	14
" " Natural Philosophy	9	0	9

TABLE X.

Showing the manner in which the children are now employed.

Making Paper Boxes	18
Shoemaking	21
Tailoring	31
Knitting	80
Combing Bristles	27
Farming and Gardening	18
Baking and Cooking	6
Engineer, and at Gas House	4
Attending Refectory	9
" Halls and Officers' Rooms	3
" Dormitories	30
Sawing Wood	2
Washing and Ironing	14
Attending School-Rooms and Office:	5
Miscellaneous	21

The girls all work at sewing, cooking, washing, ironing, and general housework.

TABLE XI.

Showing the number of Officers, Teachers, and other employees, and their aggregate salaries.

MALE.

Superintendent,	Baker,
Assistant Superintendent (who also acts as teacher,	Farmer and Gardener,
Physician,	Watchman,
Overseer in Shoe Shop,	Gate Keeper,
" " Tailor's "	Messenger,
	Police Officer,

FEMALE.

Teachers, 4.	Laundress,
Girls' Matron,	Overseer of Dormitories,
Housekeeper,	Cook,

Aggregate of salaries this year, $5,632.57.

TABLE XII.

Showing work done by girls.

1,488 Handkerchiefs made.	6 Bolster Cases made
307 Shirts "	6 Capes "
126 Comforts "	5 Curtains "
126 Dresses "	3 Table Cloths "
100 Pillow Cases "	4,060 Shirts repaired.
50 Chemises "	298 Sheets "
50 Skirts "	152 Dresses "
38 Towels "	129 Skirts "
38 Aprons "	100 Chemises "
15 Sheets "	86 Pairs Stockings.
12 Bonnets trimmed.	73 Pillow Cases repaired.
12 Napkins made.	43 Aprons "
11 Spreads "	18 Sheets "
11 Mattresses "	3 Table Cloths "

TABLE XIII.

Showing work done by boys in Tailor Shop.

851 pair Pants, made for inmates	at 25 cents		$212 75
453 Jackets, " "	" 25	"	113 25
621 Caps " "	" 12	"	74 52
222 Shirts " "	" 12	"	26 64
102 Sheets " "	" 12	"	6 12
367 pairs Stockings "	" 6	"	22 02
174 " Mittens " "	" 5	"	8 70
391 " Suspenders, made for inmates	" 2	"	7 82
52 Aprons " "	" 12	"	6 24
30 Spreads " "	" 12	"	3 60
6 Mattress Ticks " "	" 25	"	1 50
210 Carpets hemmed for inmates	" 6	"	12 60
4 Coats made for customers	" 50	"	2 00
8,293 pieces repaired	" 5	"	414 65
583 " "	" 2	"	11 66
327 " "	" 1	"	3 27
			$927 34

TABLE XIV.

Showing work done by boys in the Shoe Shop.

1,697 pairs Shoes made, valued at		$1,281 36
1,862 " " repaired, " "		807 18
18 " " made for manufacturers		3 96
Total		$2,092 50
Expended for Stock and Materials	$1,296 70	
" " Tools	42 52	
		1,339 22
Balance in favor of Shop		$758 28

TABLE XV.

Showing the products of the Farm and Garden.

4,275 heads Cabbage	at	4	cents	$171 00
335 bushels Potatoes	"	80	"	268 00
55 " Peas	"	75	"	41 25
99 " Sprouts	"	50	"	49 50
83 " Beets	"	40	"	32 20
38½ " Tomatoes	"	75	"	103 87
30½ " Lima Beans	"	75	"	22 87
20 " Onions	"	75	"	15 00
25 " Carrots	"	40	"	10 00
18½ " Parsnips	"	50	"	9 25
20½ " Turnips	"	50	"	10 25
17 " Beans	"	50	"	8 50
11 " Spinach	"	50	"	5 50
2 " Oyster Plant	"	50	"	1 00
2 " Cucumbers	"	50	"	1 00
116 loads Fodder	"	50	"	58 00
Celery				20 00
198 dozen Corn	"	10	"	19 80
60 " Cymlins	"	10	"	6 00
459 Bunches Onions	"	2	"	9 18
87 " Asparagus	"	8	"	6 96
36 " Rhubarb	"	8	"	2 88
228 heads Lettuce	"	2	"	4 56
92 quarts Gooseberries	"	8	"	7 36
64 " Strawberries	"	6	"	3 84
20 " Currants	"	8	"	1 60
				$890 37

The expenses charged to farm, exclusive of wages of farmer, are $224.60; which, being deducted from value of products, leaves a balance of $665.77.

TABLE XVI.

Showing the Disbursements.

Expended for Clothing	$2,879 89
" " General Provisions	6,716 47
" " " Furnishing	1,255 68
" " " Expenses	1,246 03
" " " Repairs	1,815 59
" " Household Expenses	284 85
" " " Provisions	1,656 86
" " Fuel	1,170 60
" " Salaries and Wages	5,632 57
" " School Books and Stationery	193 34
" " Hospital Department	87 38
" " Improvements	528 06
" " Stable	785 79
" " Farm and Gardening	224 60
" " Materials for Shoe Shop	1,339 22
" " Gas and Light	1,013 82
" " Girls' Building	17 89
Whole amount of payments this year by the Superintendent	$26,848 64

In presenting this report, I think it unnecessary for me to make any extended remarks, as your frequent visits and careful supervision have enabled you to become familiar with all the departments of the Institution.

For information as to the health and general sanitary condition of the House, I will refer you to the accompanying report of the Physician.

The schools have been generally in successful operation during the year, and a good degree of improvement has been manifested.

You well know, from your own observations, that a teacher in a Refuge labors under many disadvantages not common to schools generally, as the more advanced children are daily leaving, and their places are filled by those from the streets; many of whom cannot read.

The musical instruction of the children is under the direction of Professor Albert Holland.

The Brass Band has been kept up with increased interest, and the kindness manifested by the public is duly appreciated.

The Sabbath School has been fully sustained during the year. It is still under the direction of Jason Rogers, Esq., the efficient Superintendent.

We have had religious services in the afternoon of each Sabbath, by clergymen from the different religious denominations of the city, who have always been received with pleasure by the children.

We have also received the following donations,—

From Mrs. Isabella Brown, $100 00 for the benefit of the Band.
" John R. Moore, Esq., 5 00 " " " "
" George Small, Esq., 10 00 " " " "
" Prof. N. R. Smith, 5 00 " " " "
" Miss T. A. Hulls, 5 00 " " " "
" Dr. J. J. Graves, for shrubbery, Girl's House, $5 00.
" The Publishers of the American, the gratuitous supply of their daily paper.
" Dr. J. I. Cohen, a barrel of cakes for Twenty-Second of February.
" C. M. Keyser, two barrels of apples for Thanksgiving.

From Miss Mary E. Keyser, one hundred pies for Thanksgiving, and sixteen books for Girls' Library.

" Children of C. M. Keyser, Esq., twenty-five books for Girls' Library.

" Rev. F. Wilson, five books for Girls' Library.

" A. W. Poulson, Esq., 1 dozen Combs, 1 dozen rushes and 4 Mirrors for Girls' House.

" Enoch Pratt, Esq., two barrels of apples for Christmas.

" B. Deford, Esq., five dollars to be expended for peaches for children.

By table sixteen it will be seen that the whole amount paid by the Superintendent this year is twenty-six thousand, eight hundred and forty-eight and $\frac{64}{100}$ dollars, ($26,848.64.)

From this should be deducted the following extraordinary expenses—viz: repairs arising from boiler explosion—Improvements, including building gallery for the Girls in the Chapel, all of which amounts to seventeen hundred and fifty $\frac{55}{100}$ dollars, ($1,750.55,) which leaves the sum of twenty-five thousand, ninety-seven $\frac{9}{100}$ dollars, ($25,097.09,) for the actual amount paid by me for the ordinary support and usual repairs of the Institution for the year.

In closing the report, allow me to express my thanks to the members of the Board for their kind co-operation in promoting the welfare of the children, and to the officers and employees of the Institution, who have so kindly labored with me the past year.

Respectfully submitted,

WM. R. LINCOLN,

Superintendent.

House of Refuge,
Baltimore, Dec. 31, 1862.

PHYSICIAN'S REPORT.

To the Managers of the House of Refuge:

GENTLEMEN:—In presenting you my annual report, it is with regret I have to record eight deaths during the past year.

2 by the explosion of the boiler;
1 by drowning;
1, fracture of skull, (a limb of a tree falling on him;)
1, rupture of urethra, (falling on an iron bedstead;)
1, Erysipelas;
1, congestion of the lungs.

The eighth case—that of the little girl who was returned to the Refuge in a dying condition—you are already familiar with; having addressed you a special communincation on the subject. Although presenting you an increased list of mortality, it is a source of satisfaction to me to know that only two of the deaths were the result of disease.

The health of the House has not been as good as in previous years. Ophthalmia has been very prevalent; some cases of the most virulent character. In fact, all of the diseases were of a low type. Small pox has visited us; and, although every precaution was taken to remove the infected ones from the building and to re-vaccinate the children, the epidemic was not stayed until twenty-three had suffered. In the Female Department varicella and whooping cough have been epidemic.

Every year increases my obligations to Mr. Lincoln, the able and efficient Superintendent, for his kindness and care of the children, and the faithful manner in which my directions are carried out.

Very respectfully,
THOS. F. MURDOCH, M. D.

BALTIMORE, January, 1863.

TEACHERS' REPORT OF BOYS' SCHOOL.

To the School and Chapel Committee:

GENTLEMEN:—We respectfully report:

No. of boys	in	attendance	Jan. 1st, 1862.....	257
" "	"	admitted	during the year.....	129
" "	"	under instruction	during the year....	386
" "	"	discharged	during the year.....	97
" "	"	in school	at present.....	286

For the attainments of those who have been received and discharged, during the year, we refer you to the ninth Table of the Superintendent's Report.

The schools are divided into four divisions.

The first division, in charge of F. D. Morrison, contains 88 boys, all of whom receive instruction in Reading, Writing, Orthography, Geography, and Written and Mental Arithmetic, while the more advanced classes are also taught Grammar and Natural Philosophy.

The second division, in charge of Miss Kate Mahon, contains 70 boys, and is divided into three classes. The first and second classes study Geography, Arithmetic, Reading, Writing and Spelling. The third class cypher in Addition and Subtraction, read easy lessons, write on slates, and spell in monosyllables.

The third division contains 75 boys, and is taught by Miss Mary A. Patrick; it is divided into four classes, three of which study Geography and write in Copy-Books. The first class is

cyphering in Complex Fractions, the second in denominate Numbers, and the third in Subtraction. The fourth class reads in Parker's second Reader, spells in words of two syllables, writes on slates, and is cyphering in Addition.

The fourth division or Primary, under the care of Miss T. A. Hulls, consists of 51 boys, six of whom are in the Alphabet, twenty-nine in Monosyllables, and sixteen Spelling and Reading.

To the School and Chapel Committee, we would express our thanks for the kind interest they have manifested in the progress of those intrusted to our care.

To the daily visits of our most excellent Superintendent, and his hearty co-operation in every thing that tends to advance, elevate and ennoble our pupils, much of our success is due.

Very respectfully submitted,

F. D. MORRISON,
KATE MAHON,
MARY A. PATRICK,
T. A. HULLS.

REPORT OF GIRLS' SCHOOL.

To the Board of Managers of the House of Refuge.

No. in attendance, Jan. 1, 1862	28
" admitted during year	26
" discharged " "	14
" now in attendance	40

The school is divided into five classes.

The first contains six girls, who spell, read, write, cypher in denominate numbers, study Geography and Grammar.

The second contains eleven, who spell, read, write, cypher in simple numbers, and study Geography.

The third contains ten, who spell, read, write, and cypher in simple numbers.

The fourth contains eight girls, who spell and read in monosyllables.

Five are in the alphabet.

To the School and Chapel Committee I beg leave to tender my thanks for their increasing interest and kind attentions.

To our most worthy and efficient Superintendent I feel very grateful for his many valuable suggestions, cordial co-operation, and the deep interest manifested by him for the well-being of those entrusted to my care.

In closing my report, I refer with pleasure to the great improvement made by the girls in singing. Most of the larger ones can read music well, sustaining their parts; while even the smallest have learned to sing with surprising correctness. For this acquisition they are indebted to the voluntary instructions of Mrs. Lincoln, whose untiring efforts are well deserving of the most sincere thanks.

Relying upon the Divine Being for strength and wisdom, in the discharge of my duties, and humbly entreating His blessing upon our united labors,

I remain, yours respectfully,

S. G. PRYOR.

LETTERS IN RELATION TO FORMER INMATES.

BOYS.

——— Virginia.

It gives me much pleasure, as I have no doubt it will you, to report so favorably of J——. I am very much attached to him, and I trust he will make a very clever and respectable man. He is intelligent and amiable, and shows very correct taste in his company. We have got him the situation of clerk in a hardware store with ——, whose business habits are all that we could desire; he has taken a fancy to J——, and will give him all the instruction he needs, most cheerfully. * * * J—— seems very much pleased at the idea of going into business, and I believe he will exert himself to merit the continual good opinion of us all. I know it will be a source of great pleasure to those who have given their time and means for the unfortunate, to learn that some of them have repaid them by meritorious conduct.

R. S.

Baltimore.

It gives me pleasure to say that F—— continues to be a good boy, that he is faithful in his place, attentive to business, devoted to my interest, and by no means an eye-servant. He attends Sabbath School and Church regularly, always sitting with my family. He has opportunities for study at home, and to some extent improves them. As you are aware, he has naturally a violent temper, but he tries hard to control it. I have less occa-

sion to reprove him than any other about the house, for my admonitions are generally heeded.

Should he reach manhood in the practice of the qualities which mark him now, he will do well for himself, and reflect credit, both upon the Refuge and myself. J. R.

KENT COUNTY.

W—— is a very good boy, very obedient, very trusty and reliable. He gives me much satisfaction. During the winter I kept him at his books, and he made good progress. He goes to Church quite regularly, and likes to go. He is growing finely, is quite stout and healthy. He uses no bad language, and I believe his morals to be correct in other respects. E. J.

CALVERT COUNTY.

J—— R—— enjoys good general health. He attends Sabbath School during summer—the Methodist Church regularly, and will shortly attend day school. His moral disposition and habits are good. He is very apt at his employments—not so much so at his books. I think he has improved considerable, and am in hopes he will make a good and useful citizen. J. T. K.

BALTIMORE.

* * I would inform you that my father is dead, but H. S—— as a journeyman is still in the employ of my mother. H—— has now been free about one year, and he alway has been an honest and faithful boy, and bids fair to make a good and useful man. He is a sober, industrious and worthy young man, and in fact, without flattery, I doubt if his equal could be found, one in a hundred. C. T.

HARFORD COUNTY.

T—— N—— is quite a hearty boy, and has grown very much. He can learn as fast as any boy in school. He went last winter and is going this quarter too. The most fault I have against him is, he will not stick to the truth, but I have told him the evil of such a practice, and he is now becoming more cautious,

and as a good sign in his favor, he is quite ashamed when caught in the fault. He can do as good work on the farm as the most of boys of his age, and he takes delight in farming.

J. H. S.

Howard County.

I am glad to say that the deportment of M—— E—— H——, in every respect, has been very good. His disposition and habits are exemplary, his aptness for learning, both at books and employments, is fully equal to most boys of his age, and there is a decided improvement in his character for industry, application, obedience and truthfulness. His promise for future usefulness bids fair meet every reasonable expectation. R. D.

Queen Anne County.

The disposition and habits of C.—— S—— are very good, with a few exceptions. He is dull at books, but at his business he is very quick. As for his general character, it is pretty good. He is industrious, very obedient and very reliable, and I think bids fair to be a moral and useful man. He is rather a favorite in the family, and as to myself, I think a good deal of him, and and if he stays with me until he is free, I will do a good part by him. I should dislike to part with him on any account.

A. A. B.

Anne Arundel County.

J—— B—— attended Sabbath School during the summer and autumn, but it closed a week ago. I intend to start him to day school on the first of December. We have Church every two weeks which he attends regularly. His moral disposition and habits are good—his aptness for learning his books is very slow, yet he studies very hard. At his work he is getting along very well, and has improved very much. As for his industry, obedience and truthfulness, he has no superior. I can depend on J—— doing all he can do. His promise for the future bids very fair. E. E. B.

GIRLS.

TALBOT COUNTY.

Elizabeth has been with me now about five years. I can safely say that she has improved in every respect in her general habits and disposition, and gives good promise of becoming a useful woman. She is very much attached to my family, of which she has always been treated as a member. She is naturally a quick tempered child, but we have had but little difficulty in controlling her by proper appeals to her reason, and exercising a discreet influence over her, accompanied with firmness. Her deportment and behavior have generally given us satisfaction, and I think she is destined to reflect honor and credit upon the excellent and charitable institution from which I obtained her. W. B. C.

FREDERICK COUNTY.

C—— F—— is enjoying good health, having grown to be large and strong. She attends both day and Sabbath School, as well as Church regularly, and seems quite partial to all. Her moral disposition and habits are in general good, although she greatly lacks energy and perseverance. She is not slow at learning at her books or employments, but as her disposition is predisposed to indolence, she is not as forward as she might be, from the advantages she has had, although in many respects she has improved under our care. As it regards truthfulness and obedience, I have no fault to find with her. J. R.

HARFORD COUNTY.

Mary's health is very good, and she is the best girl I ever saw. We have no trouble to teach her any thing. We take her to Church with us; and as to truth, honesty and industry, no one can exceed her. We have justly the greatest confidence in her, and treat her in every respect as our own child, and will provide for her hereafter.

BALTIMORE.

M—— E—— C—— is in good heath. She attends Sabbath School and the Methodist Protestant Church with my family family twice every Sabbath. In her temper she is very quick and sometimes a little stubborn, and therefore not as obedient as I desire, and in truthfulness she is deficient. Otherwise, her disposition and habits are as good as most girls of her age. She is industrious and willing and apt at learning, so far as her employments are concerned, but at her books, not so ready. I am in hopes, however, that she will make a good and useful woman, a credit alike to the institution and ourselves.

D. W. B.

BALTIMORE.

B—— is going to day school, and goes regularly to the M. E. Church. At her books and employments she is only tolerable, but her habits and disposition are good, as is also her general character for industry, obedience and truthfulness. I think she promises to make a useful and respectable woman. J. M. M.

KENT COUNTY.

Mary has lived with us one year, and has, during the time, run away three times—one time we found her distant thirty miles from home. She gives no reason for doing so, only that *she cannot help it.* Aside from this, I don't know that she has any incurable faults. I thought seriously of taking her back to the Refuge for a short time as a punishment, but she pleads so hard that I think perhaps she will do better. She is a child of a good mind, and if she would refrain from this one pernicious habit, would make a good girl. W. R.

LETTERS FROM FORMER INMATES.

BALTIMORE.

I am still living with Mr. R—— and I like my home and business very well. I have a great many opportunities for improvement, and I try to improve as much as I can. I go to Church and Sunday School, and after I come home I read my library book. Every day after dinner I study Latin and cypher some.

FRANK P.

VIRGINIA.

I take the present opportunity to write to you a few lines to say, that I am well and still with Mrs.——. I like Mr. and Mrs. —— very much, they are very kind to me. I have lived with Mrs.—— more than six years, and I now have some prospect of going into business in a hardware store, which I should like very much indeed.

I suppose you would like to hear something about the other boys that came out here, so I will tell what I know about them. G—— G—— and a boy by the name of V—— or something like that, joined a Company in the 2d Virginia Infantry; P—— C—— went to New Orleans just before the war broke out, and I have not heard from either of them since. Please give my respects to the Board of Managers.

JOHN W.

HARFORD COUNTY.

Mr. B—— told me you wished me to write if it was only a few lines. I go to Sunday School and Church every Sabbath. I have not been to day school since the spring, but W—— and I will start to the day school in a few days. Our holidays will soon be here and we shall have merry times. I should like to see all the boys very much if I can. I like my place very much, I am well clothed and fed, and treated as if I were their child. Give my love to all the boys. JAMES D.

HARFORD COUNTY.

Gentlemen of the House of Refuge, dear friends, I feel grateful to you for your kindness and attention to me. I am happy to inform you that my health is good. They say I am growing fast. I pass my time pleasantly, knowing that I give satisfaction. I assist in the lightest part of the house-work, knit and sew, read and study my catechism. I hope to be able to write you a better letter as soon as I have commenced my studies with a new teacher—a lady who is capable and says it will give her pleasure to teach me. MARY E. T.

SECRETARY OF

Northern Home for Friendless Children, Philadelphia,

SUGGESTING THE NECESSITY OF

LEGISLATION BY OUR STATE,

TO CONFIRM INDENTURES OF APPRENTICESHIP,

Executed by the Home to Citizens of this State.

Philadelphia, January 24th, 1863.

His Excellency, Governor BRADFORD:

SIR:—"*The Northern Home of Friendless Children*," of this city has indentured a number of its inmates to citizens of your State.

As a matter of mutual advantage to the Institution, the masters and the apprentices, (white,) it is desirable that your Legislature should enact a law recognizing the validity of such indentures, as of like effect with those made between parties, all of whom reside in Maryland. Similar acts doubtless appear upon your statute books, relative to other kindred Institutions of our city; such, perhaps, as the House of Refuge, &c.

If I have sufficiently explained the form of Legislative security desired, I will rely upon your Secretary of State or Attorney General to have such a bill framed and passed as would be agreeable for you to sign.

I send a copy of our last Annual Report which explains the nature of the "Home."

Very respectfully,

McGREGOR J. MITCHESON,

Sec'y and Att'y for Home.

LETTER TO PRESIDENT,

ON SUBJECT OF

SLAVE ENLISTMENTS.

STATE OF MARYLAND,
EXECUTIVE DEPARTMENT,
Annapolis, September 28th, 1863.

His Excellency, ABRAHAM LINCOLN,
President United States:

DEAR SIR:—In the personal interview I had with your Excellency a few weeks since, upon the subject of the enlistment of slaves in this State, you stated that no orders had been given for such proceedings, and that the existence of such a practice had only been brought to your knowledge two days before.

I, at that time urged some of the most obvious objections to such a policy, to which you replied that the subject was then under consideration, and you were good enough to say, in answer to my request to that effect, that whatever conclusion was reached, as the result of your deliberations, should be communicated to me.

Several weeks having since elapsed without hearing from your Excellency, and the practice of which I complained still prevailing and increasing—a practice all the more reprehensible if pursued without your express authority—I feel constrained once more to bring it to your attention, and again to invoke your interposition in arresting it.

I beg leave to assure you that, burthened as I know you are, with the paramount responsibilities of preserving the Nation, whose existence has been menaced during the whole period of your administration, I am most reluctant to do anything calculated to add to your embarrassments. I trust you need no assurance, that neither the loyal citizens of this State nor myself would seek in ought to arrest or impede any action of the Government calculated to contribute to its safety, or to crush the power of those who are assailing it.

An earnest conviction, however, that the practice to which I am adverting, is, in all its moral effects, exerting an influence in direct opposition to such results, not less than the sense of personal wrong, and of an unjust discrimination against this State, prompts these appeals.

Suffer me to make you acquainted with the course of proceedings usually adopted in these cases, as it has been reported to me. A steamer in Government employ, provided with a recruiting officer and armed guard, is sent into some of the many rivers with which our State abounds, and this officer and guard immediately make known their presence, and find means of communicating with the slaves on the neighboring farms; these slaves usually under cover of the night are induced to quit their owners' homes and to repair on board of the boat. The officer in charge exercises his arbitrary discretion, by no means regulated by the question of the owner's loyalty, in carrying off one man's slaves and allowing another's to return; and when his cargo of recruits is thus made up, he weighs anchor and delivers them at camp in a distant part of the State, sometimes before their owner is aware of their absence.

These owners are not allowed access to them, and in some instances have been positively refused, though their only and avowed purpose was to identify their property as a preliminary to a claim for future indemnity, in case such should be allowed.

Permit me, Mr. President, respectfully to enquire for any Act of the National Legislature that authorizes such a proceeding, and whether it exists or not, to ask why it should be executed exclusively in Maryland.

In the absence of any order from any Department of the Government, which, to my knowledge, assumes to justify such action under any statutory enactment, it is not perhaps proper for me to enter into the discussion of such authority; I cannot, however, forbear the suggestion, that if such power is conferred by any act of the 37th Congress, as some have asserted, then it is being executed here with less regard to the interests of a State that has stood steadfastly by the Government, than has been observed towards others that hove been the most conspicuous in the Rebellion.

When your Excellency, by your Proclamation of the 1st of January last, declared the slaves of the States then in Rebellion free, you took the very proper precaution to advise the citizens of those States, by another Proclamation a hundred days before, of the act you contemplated; you not only gave them this timely notice, but you therein announced the purpose of indemnifying even in these rebellious States, all loyal owners who were to be deprived of their slaves; and you manifested a proper regard for the interests of industry by strongly recommending to the slaves so liberated, to continue in all cases when allowed, to labor faithfully for reasonable wages.

You also took the precaution particularly to call attention to, and set forth at length in the first of your said Proclamations, the 9th and 10th sections of the Act of Congress, of 17th July, 1862, which provides for the freedom of certain classes of slaves belonging to citizens engaged in the Rebellion or aiding and assisting it; and if the very succeeding section of the same Act conferred, as some contend, the power to enlist the slaves in loyal States and of loyal citizens, or that power had been created by any other Act—which, for all practical purposes, is equivalent to the emancipation of those enlisted—it is but fair to presume that such a power should not have been set in motion, without at least calling similar attention to its existence and the purpose of enforcing it. But without any such notice, or a notice of any kind, and after the free laborers of the State engaged to such an extent as volunteers in the country's service have left our community almost destitute of agricultural labor, the practice to which I refer is fast stripping it of the little that is left.

Whilst I confidently hope, therefore, that you will not sanction this policy in any aspect in which it can be presented, I feel assured that if adopted at all, it will be only upon the ground that when an imminent public necessity exists, which cannot be otherwise met, property of any description may be seized to provide for it. It is for your Excellency to say whether such an emergency exists at this time, and if it does, whether it exists only in Maryland or is to be relieved only by her resources. We desire, therefore, before our property is impressed in the manner stated, to be advised by your official order or Proclamation, that this urgent public necessity requires its seizure, and in providing for that public necessity, we trust that not only will such proceedings be adopted as may readily enable all who have not forfeited their right to Government protection to be fairly and fully compensated, in accordance with the acknowledged principles of public law, but more especially still, that our State shall not be made the exclusive subject of their operation. Whilst it is true that our own loss might not be actually lightened by applying the same doctrine to every other in our condition, still such an application would relieve the proceeding of one of its most odious features, and rebut the inference to which it might be otherwise obnoxious, that some question of mere local policy had mingled with the motives with which it has been suggested.

There is nothing in the history of this State during the progress of this Rebellion, which warrants the limitation of such a proceeding to her people. Without particularly dwelling upon her course of action, it may be safely affirmed that she has done no act which has ever compromised her loyalty, or impaired her just claims to the confidence of the country. If her property, whether in slaves or anything else, is really needed to put down the Rebellion, there is not a State in the Union that will yield it more cheerfully; but, as your Excellency can well understand, she will not see her property of any kind wrested from her by armed force with no emergent military necessity for it first proclaimed—with no adequate indemnity for it secured—with no similar process elsewhere instituted

and not even an official order promulgated commanding a resort to it here or prescribing the manner of its execution, without at least making known her earnest protest against the proceeding.

It is not improbable that your Excellency may have been informed that these proceedings are not so offensive to the general sentiment of our people as I represent them. To this I can only say, that, in my opinion, no policy adopted by the Government since the commencement of this Rebellion, has ever awakened such unequivocal opposition. With every desire on the part of our loyal population to sustain the Government in its war upon the insurgents, no convention and no primary meeting of any party, or of any fragment of a party, has, to my knowledge, yet ventured to express their approval of it. I am aware that a few have apparently calculated upon conciliating a support for it upon the ground that every slave enlisted will lighten the burthen of the draft and reduce the individual liability to conscription; but those who reason from such purely selfish premises do violence to that cardinal sense of justice prevailing in every well ordered community.

If a tax of any given amount were imposed upon the State, to be raised from the property of its citizens for the use of the Government, we might as well expect to see them justify the forcible and despotic seizure and appropriation of the funds of a selected few to make up the required amount, because it would diminish their own just share thereof, as to expect them to approve an arbitrary movement against the persons or property of their neighbors, because it might result in the exemption of their own.

But whilst I connot avoid allusion to such assumed influences, suggested as they are at times in the current discussions of the subject, I would by no means be understood as imputing such calculations to your Excellency; I believe that in commanding or repudiating these proceedings, you will be governed only by the consideration of what the exigencies of the country imperatively require; and that you will not suffer such a policy to be continued, unless these exigencies do so require it;

that you will then exhibit the necessity that demands it, so clearly that it may be placed beyond doubt, and in enforcing the requisition, will apportion it with such even-handed justice that no loyal State or citizen will have reason to complain.

I have the honor to be,

With great respect,

Your obdt. serv't,

A. W. Bradford.

GOVERNOR'S PROCLAMATION

ON SUBJECT OF LATE ELECTION,

Embodying Copy of General Schenck's Order No. 53.

STATE OF MARYLAND.

EXECUTIVE DEPARTMENT, ANNAPOLIS,
November 2d, 1863.

PROCLAMATION BY THE GOVERNOR.

To the Citizens of the State,
and more especially the Judges of Election:

A Miltary Order, issued from the Head Quarters of the "Middle Department," bearing date the 27th ult., printed and circulated, as it is said, through the State, though never yet published here, and designed to operate on the approaching election, has just been brought to my attention, and is of such a character and issued under such circumstances as to demand notice at my hands.

This Order reciting, "that there are many evil disposed persons now at large in the State of Maryland, who have been engaged in rebellion against the lawful Government, or have given aid and comfort, or encouragement to others so engaged, or who do not recognize their allegiance to the United States, and who may avail themselves of the indulgence of the authority which tolerates their presence, to embarrass the approaching election, or through it to foist enemies of the United States into

power, proceeds among other things to direct "all Provost Marshals and other Military Officers, to arrest all such persons found at or hanging about, or approaching any Poll or Place of Election, on the 4th of November, 1863, and report such arrest to these Head Quarters."

This extraordinary Order has not only been issued without any notice to, or consultation with the Constituted Authorities of the State, but at a time and under circumstances when the condition of the State, and the character of the Candidates are such as to preclude the idea that the result of that Election can in any way endanger either the safety of the Government, or the peace of the community.

It is a well known fact that, with perhaps one single exception, there is not a Congressional Candidate in the State whose loyalty is even of a questionable character, and in not a County of the State outside of the same Congressional District is there, I believe, a Candidate for the Legislature or any State office, whose loyalty is not equally undoubted. In the face of this well known condition of things, the several classes of persons above enumerated are not only to be arrested *at* but "*approaching any pole or place of election.*" And who is to judge whether voters thus on their way to the place of voting have given "aid, comfort, *or encouragement*" to persons engaged in the rebellion, or that they "do not recognize their allegiance to the United States," and may avail themselves of their presence at the polls "to foist enemies of the United States into power?". As I have already said, in a very large majority of the Counties of the State there are not to be found among the Candidates any such "enemies of the United States," but the Provost Marshals —created for a very different purpose—and the other military officials who are thus ordered to arrest approaching voters are necessarily made by the order the sole and exclusive judges of who fall within the proscribed category: an extent of arbitrary discretion, under any circumstances the most odious and more especially offensive and dangerous in view of the known fact that two at least of the five Provost Marshls of the State are themselves Candidates for important offices, and sundry of their deputies for others.

This Military order, therefore is not only without justification when looking to the character of the Candidates before the people, and rendered still more obnoxious by the means appointed for its execution, but is equally offensive to the sensibilities of the people themselves, and the authorities of the State looking to the repeated proofs they have furnished of an unalterable devotion to the Government. For more than two years past there has never been a time when, if every traitor and every treasonable sympathiser in the State had voted, they could have controlled, whoever might have been their Candidates, a single Department of the State or jeopardized the success of the General Government. No State in the Union has been or is now actuated by more heartfelt or unwavering loyalty than Maryland—a loyalty intensified and purified by the ordeal through which it has passed ; and yet looking to what has lately transpired elsewhere and to the terms and character of this Military order, one would think that in Maryland and nowhere else is the Government endangered by the "many evil disposed persons that are now at large."

Within less than a month the most important Elections have taken place in two of the largest States of the Union ; in each of them Candidates were before the people, charged by the particular friends of the Government, with being hostile to its interests, and whose election was deprecated as fraught with the most dangerous consequences to its success. One of the most prominent of these Candidates was considered so dangerously inimical to the triumph of the National cause, that he has been for months past banished from the country, and yet hundreds of thousands of voters were allowed to approach the polls, and to attempt "to foist" such men into power, and no Provost Marshals or other Military Officers, were ordered to arrest them on the way, or so far as we have ever heard, even test their allegiance by an oath.

With these facts before us, it is difficult to believe that the suggestion that the enemies of the United States may be foisted into power at our coming Election, was the consideration that prompted this order ; but whatever may have been that motive,

I feel it to be my duty to solemnly protest against such an intervention with the privileges of the Ballot Box, and so offensive a discrimination against the rights of a loyal State.

I avail myself of the occasion to call to the particular attention of the Judges of Election, the fact that they are on the day of Election clothed with all the authority of Conservators of the Peace, and may summon to their aid any of the Executive Officers of the County, and the whole power of the County itself to preserve order at the Polls and secure the Constitutional rights of the voters.

It is also made their "special duty" to give information to the States' Attorney for the County, of all infractions of the State laws on the subject of Elections, and by these laws it is forbidden to any "Commissioned or Non-Commissioned Officers, having command of any soldier or soldiers quartered or posted in any district of any County of the State, to muster or embody any of said troops, or march any recruiting party within the view of any place of Election during the time of holding said Election."

I need not, I am sure, remind them of the terms of the oath they are required to take before entering upon their duties, and according to which they swear "to permit all persons to vote who shall offer to poll at the election, &c., who, in *their judgment, shall, according to the directions contained in the Constitution and Laws, be entitled to poll at the same election*, and not to permit any person to poll at the same election who is not in (their) judgment qualified to vote as aforesaid."

It is the *judgment of the Judges of Election* alone, founded upon the provisions of the Constitution and Laws of the State, that must determine the right to vote of any person offering himself for that purpose. I trust and believe that they will form that judgment, and discharge their duty, as their conscientious convictions of its requirements, under the solemn obligations they assume shall dictate, undeterred by any order to Provost Marshals to report them to "Head Quarters."

Whatever power the State posseses, shall be exerted to protect them for any thing done in the proper execution of its laws.

Since writing the above, I have seen a copy of the President's letter to the Chairman of the Union State Central Committee, bearing the same date with the order, and evidently showing that the order was unknown to him, that it would not have been approved by him, if he had known it, and that it is therefore all the more reprehensible.

A. W. BRADFORD.

By the Governor:

WM. B. HILL,
Secretary of State.

After the above was in print, at three o'clock this afternoon, I received from the President the following dispatch:

"I revoke the first of the three propositions in General Schenck's General Order No. 53, not that it is wrong in principle, but because the Military being of necessity exclusive judge, as to who shall be arrested, the provision is liable to abuse; for the revoked part I substitute the following:

"That all Provost Marshals and other Military Officers, do prevent all disturbance and violence at or about the Polls, whether offered by such persons as above described, or by any other person or persons whomsoever; the other two propositions I allow to stand; my letter at length will reach you to-night.

A. LINCOLN.

Whilst this modification revokes the authority of the Provost Marshals and Military Officers, to arrest the classes of persons enumerated in the preamble to the order "found at or hanging about, or approaching any Poll or place of election," it directs them to prevent all violence or disturbance about the Polls, &c.

To meet such disturbances, the Judges of Election, as I have already stated, are clothed with ample powers, and I had received no previous intimation that there was any reason to

apprehend a disturbance of any kind at the Polls, on the day of Election. In the absence of any Military display, there would certainly seem to be as little cause for such apprehensions as ever before existed. A preparation by the Government by Military means, to provide for such a contingency, will be quite as likely to provoke as to subdue such a disposition. Not only so, but the Military thus required to prevent violence or disturbance about the Polls, must necessarily be empowered to arrest the parties they may charge with such disorder, and they are still left in effect "the exclusive Judges as to who shall be arrested"—a power they may as readily abuse as any other.

I regret, therefore, that I can perceive no such change in the general principles of the order as to induce me to change the aforegoing Proclamation.

A. W. BRADFORD.

BALTIMORE, *Monday Evening, November* 2, 1863.

That the first order and the modification of the President in its first paragraph may be better understood, the entire order as originally issued is subjoined.

GENERAL ORDERS, NO. 53.

HEAD QUARTERS, MIDDLE DEPARTMENT, 8TH ARMY CORPS,

BALTIMORE, MD., October 27th, 1863.

It is known that there are many evil disposed persons, now at large in the State of Maryland, who have been engaged in rebellion against the lawful Government, or have given aid and comfort or encouragement to others so engaged, or who do not recognize their allegiance to the United States, and who may avail themselves of the indulgence of the authority which tolerates their presence, to embarrass the approaching election, or through it, to foist enemies of the United States into power. It is therefore ordered:

I. That all Provost Marshals and other military officers do arrest all such persons found at, or hanging about, or approach-

ing any poll or place of election on the 4th of November, 1863, and report such arrest to these Head Quarters.

II. That all Provost Marshals and other military officers commanding in Maryland, shall support the Judges of Election on the 4th of November, 1863, in requiring an oath of allegiance to the United States, as the test of citizenship of any one whose vote may be chalenged on the ground that he is not loyal or does not admit his allegiance to the United States, which oath shall be in the following form and terms :

I do solemnly swear that I will support, protect and defend the Constitution and Government of the United States against all enemies, whether domestic or foreign ; that I hereby pledge my allegiance, faith and loyalty to the same, any ordinance, resolution or law of any State Convention, or State Legislature, to the contrary notwithstanding ; that I will at all times yield a hearty and willing obedience to the said Constitution and Government, and will not, either directly or indirectly, do any act in hostility to the same, either by taking up arms against them, or aiding, abetting, or countenancing those in arms against them ; that, without permission from the lawful authority, I will have no communication, direct or indirect, with the States in insurrection against the United States, or with either of them, or with any person or persons within said insurrectionary States, and that I will in all things deport myself as a good and loyal citizan of the United States. This I do in good faith, with full determination, pledge and purpose to keep this, my sworn obligation, and without any mental reservation or evasion whatsoever.

III. Provost Marshals and other military officers are directed to report to these Head-Quarters any Judge of an election who shall refuse his aid in carrying out this order, or who, on challenge of a vote being made on the ground of disloyalty or hostility to the Government, shall refuse to require the oath of allegiance from such voter.

By order, MAJ. GEN. SCHENCK.

W. H. CHESEBROUGH, *Lt. Col. and A.A. G.*

Official, W. M. ESTE, *Maj. and Aid-de-Camp.*

LETTER FROM MAJOR GENERAL DIX,

TO

Judges of Election in Carroll County.

HD. QRS., DEPARTMENT OF PENNSYLVANIA,
Baltimore, Md., Nov. 1st, 1861.

DANIEL ENGEL and WILLIAM ECKER,
Inspectors of Election, New Windsor:

GENTLEMEN:—I have received your letter of the 29th ultimo, asking me to issue a proclamation, authorizing you to administer to all persons of doubtful loyalty, who offer their votes at the approaching election, an oath to support the Constitution of the United States. If I had the power I would most cheerfully do so, for no one who is false to the Government ought to be allowed to vote. But the Constitution and laws of Maryland provide for the exercise of the elective franchise by regulations, with which I have no right to interfere. I have this day issued an order, of which I enclose a copy, to the United States Marshal and the Provost Marshal of Baltimore to arrest any persons who have been in arms in Virginia, if they appear at the polls and attempt to vote, as we are told some such persons intend, and to take into custody all who aid and abet them in their treasonable designs, and I have requested the Judges of Election, in case any such person presents himself at the polls and attempts to vote, to commit him until he can be taken into custody by the authority of the United States.

I consider it of the utmost importance that the election should be a fair one, and that there should be no obstruction to the free and full expression of the voice of the people of the State, believing as I do, that it will be decidedly in favor of the Union. But it is in the power of the Judges of Election, under the authority given them, to satisfy themselves as to the qualifications of the voters, to put to those who offer to poll, such searching questions in regard to residence and citizenship as to detect traitors, and without any violation of the Constitution or laws of Maryland, to prevent the pollution of the ballot-boxes by their votes.

I am, very respectfully, Yours,

[Signed] JOHN A. DIX,
Maj. Gen'l Commanding.

Opinion of

Hon. Reverdy Johnson,

ABOUT PROCLAIMING THE MEMBERS OF CONGRESS.

Washington, 23d November, 1863.

My Dear Governor:

In compliance with your request, made at our last interview, I have examined the question you stated: "What is your duty in regard to the recent election? Are you vested with discretion, as matters now are, or is not your function purely ministerial?" The enquiry depends on the meaning of the 29th Sect. of the 4th Art. of the Code.

The first embraces only officers constituted by the Constitution. It provides that the election of such officers "*shall* be certified, and the returns made by the Clerks of the respective counties to the Governor, who *shall* issue commissions to the different persons for the offices to which they shall have been respectively elected; and in all such elections the persons having the greatest number of votes shall be declared to be elected."

The person to be declared elected, therefore, is he who has "the greatest number of votes," and, as the only Constitutional evidence of that fact is the certificate and returns of the Clerks of the respective Counties, such evidence is conclusive on the Governor. His power, with these returns before him, is merely to count the votes given, as proved by the returns; and on ascertaining in that way, and that way only, who has

the greatest number of votes for the particular office, the duty is imperative on him to issue a commission to such person. In this last particular, his function is merely ministerial. The Constitution gives no discretion, and wisely. To vest in any one man, however high his office, and however great may be the official and moral sanctions that this duty would not be abused, might, in times of party excitement, notwithstanding be abused, and be pregnant with infinite and perilous mischief. What ignorance, partizanship, or a desire to subserve the supposed purposes of men in high places, or seeking high places, may do, contrary to all law, and in conflict with the clearly Constitutional rights of the citizen, has been so recently exhibited in our State that history need not be searched to discover the danger incident to such a power as would place an Election in the discretion of any one functionary.

The Code in the Section quoted is also, I think, free from doubt. Its provisions is, "the Governor, on *receiving* (the word *returning* is clearly a mistake) the returns of Elections for Electors to choose a President and Vice-President of the United States, shall enumerate and ascertain the number of votes given for each person voted for as an Elector and member of Congress respectively, and shall thereupon declare by Proclamation, signed by the Governor, the name of the persons or person duly elected, and shall cause such Proclamation to be inserted in such newspaper as he may direct."

It is obvious that here also the authority of the Governor is wholly ministerial. The returns of those elections are to be made to him. No proof other than such returns is submitted to him. The direction that such returns are to be summitted to him is, from the nature of the matter to be decided by him, exclusive of all other proof. His enumeration and ascertainment, therefore, of "the number of votes given to each person" is to be made entirely from these returns.

With him, as far as the duty imposed on him by the clause is concerned, such returns are conclusive, as to the votes *cast*.

His sole power is "to enumerate and ascertain the number of votes," and having done that, he is bound—no discretion being reposed in him—to declare who is elected by such enumeration.

In the meaning of the clause, the person *is duly* elected, as far as the Governor's power is concerned, who by that test has the greatest number of votes.

It is true that the Constitution never contemplated (how could it, notwithstanding the far-seeing sagacity of those who framed it, or of the free people who adopted it?) that the time could ever come when, in this most vital principle of liberty, the election of rulers would be decided, not by the free choice, but under the duress of military violence, and in utter disregard of the rights and honor of a loyal State—a State that, through difficulties at one time almost appalling, threatening the safety of her faithful sons, to the joy of her loyal sisters, and in vindication of her own reputation, remained, with steadfast firmness, true to duty. That such a State should be selected for an experiment of wholly illegal and tyrannic military power, has startled reflecting loyal men thoughout the Country, and satisfied them that, altho' the foul rebellion now waging in the land must be put down, and will be put down, it is almost an equally imperative obligation, looking to the preservation of individual liberty and State freedom, that Military excesses shall be arrested, and the parties engaged in them sternly rebuked.

But in those which have occurred in the election just closed, I am of opinion that you have no corrective power, either by virtue of the authority vested in your Excellency by the Constitution or the Code.

With great respect, your obd't serv't,

REVERDY JOHNSON.

His Excellency,
GOVERNOR BRADFORD,
Annapolis.

REPORT OF

BALTIMORE FEMALE COLLEGE.

BALTIMORE FEMALE COLLEGE,

April 1st, 1863.

Hon. A. W. Bradford:

Dear Sir:—In accordance with the requirements of a law of the State of Maryland, we submit to your Excellency the Report of the Baltimore Female College for the past year. Though the Institution has suffered much by the war, and lost in consequence, its Southern and Western patronage, it has catalogued since September last, ninety-five (95) pupils. The following young ladies, during the year, have been educated:—For Cecil county, Miss Nannie S. Thomas; for Kent co., Miss Araminta F. Stanly; for Queen Anne co., Miss Mary E. Atwell; for Caroline co., Miss Mary C. Hobbs; for Talbot co., Miss Jeannie Sparks; for Somerset co., Miss Eliza Jane Miles; for Worcester co., Miss Adreon; for Dorchester co., Miss Godwin, (who has been educated in the School for two years without charge,) has just been nominated; for Harford co., Miss Lofflin, until her decease by diptheria—since that, Miss Sarah L. Webster; for Baltimore co., Miss Victoria Holmes; for Baltimore city, Miss Wilhelmina Kreum; for Washington co., Miss Mary E. Robertson; for Frederick co., Miss Alice Steiner; for Carroll co., Miss Alverta Hoff; for Howard co., Miss Alverta Warfield; for Prince George's co., Miss Annie Griffith; for Anne

Arundel co., Miss Annie Linthicum ; for Calvert co., Miss Gertrude A. Dixon ; for Montgomery co., Miss Mary E. Offutt ; for Allegany, St. Mary's and Charles, vacancies, in which we expect soon to be filled. We have educated Miss Marian Tindell, Miss Kate Bateman and Miss Hilda Haines. Besides these, several other young ladies are educated in the Institution without charge. In accordance with the arrangement of last year, we had proposed making two drafts for the $1,500, and had already given one for $1,000 to the Agent of the Sheppard Asylum, but as we learn, the Comptroller would prefer a single draft, we will draw for the $1,500 due, as soon as the Board can be convened.

Very respectfully, Yours,

William Hamilton,

President of Board Trustees.

A STATEMENT

Showing the condition of the Fund provided for Indigent Deaf and Dumb

For 1862 *and* 1863.

		Dr.	Cr.
1862.	By appropriation for 1862, Act ch. 270		$5000 00
April 9.	To amount paid Columbia Institution for term ending 1st inst. per voucher 84	$ 801 50	
" 25.	To amount paid Pennsylvania Institution for term ending March 1st. per Draft	1377 07	
Sept. 17.	To amount paid Pennsylvania Institution for term ending 1st. inst. per voucher 101	1360 00	
Oct. 3.	To amount paid Columbia Institution for term ending 1st. inst. per voucher 105	834 01	
Dec. 31.	To balance	627 42	
		$5000 00	$5000 00
1863.	By appropriation for 1863, Act 1862 ch. 185		$5000 00
Feb. 3.	To amount paid John C. Wells for expense of conducting Sarah Jane Wells, State beneficiary to Columbia Institution under Art. 33, sections 1 & 2 Code General Laws	8 80	
March 7	To amount paid Pennsylvania Institution for term ending 1st. inst. per voucher 116	898 13	
April 1.	To amount paid Columbia Institution for term ending 1st intst. per voucher 119	1214 27	
Sept. 1.	To amount paid Pennsylvania Institution for term ending this date, per voucher 131	672 00	
Oct. 1.	To amount paid Columbia Institution for term ending this date, per voucher 133	1374 08	
Dec. 31.	To Balance	832 72	
		$5000 00	$5000 00

A STATEMENT

Showing the condition of the Fund provided for Indigent Blind,

For Years 1862 *and* 1863.

		Dr.	Cr.
1862.	By appropriation for 1862, Act 1862 ch. 270		$6000 00
April 2.	To amount paid Maryland Institution for term ending 1st inst. per voucher 82	$2316 67	
Nov. 4.	To amount paid same Institution for term ending Oct. 1st. per voucher 108	2400 00	
Dec. 31.	To balance	1283 33	
		$6000 00	$6000 00
1863.	By appropriation for 1863, Act 1862, ch. 185		$6000 00
April 1.	To amount paid Maryland Institution for term ending with date, per voucher 120	1883 34	
Oct. 1.	To amount paid Maryland Institution for term ending with date, per voucher 134	2111 00	
Dec. 31.	To balance	2005 66	
		$6000 00	$6000 00

LIST OF STATE BENEFICIARIES IN THE PENNSYLVANIA INSTITUTION FOR THE DEAF AND DUMB, DURING THE YEARS 1862 AND 1863.

No.	*Name.*	*Residence.*	*Age when received.*	*Date of Warrant.*	*Expiration of Term.*	*Remarks.*
78	Thomas E. Martin,	Baltimore co.	12	April 17, 1855.	April 17, 1862.	Dismissed, October 4, 1862.
79	Caroline Dodrer,	Carroll co.	13	November 29, 1855.	November, 29, 1862.	" December 28, 1862.
81	James Booker,	Queen Anne's co	12	May 1, 1856.	May 1, 1863.	Left during vacation of 1862.
82	Sarah Emma Elton,	Baltimore city.	10	May 5, 1856.	May 5, 1863.	Term expired.
83	Wm. Thomas Copper,	Kent co.	10	March 31, 1857.	March 31, 1864.	
84	G. Washington McAtee,	Washington co.	12	April 28, 1857.	April 28, 1864.	
85	Margaret Ellen Garrish,	Baltimore city.	12	September 22, 1857.	October 1, 1864.	
87	Anne Jane Lawder,	Baltimore city.		June 3, 1858.	October 1, 1864.	Died during vacation of 1862.
88	William F. Brown,	Talbot co.	10	April 12, 1859.	October 1, 1864.	Dismissed November 14, 1862.
89	John W. Tyler,	Dorchester co.	12	September 23, 1858.	October 1, 1862.	
90	John H. Tims,	Cecil co.	12	September 23, 1858.	October 1, 1862.	
92	Mary Jane Blair,	Washington co.	11	May 23, 1860.	April 1, 1867.	Nov. 18, 1862, Transferred to Columbia Inst.
93	Wm. George Gill,	Baltimore co.	16	May 23, 1860.	April 1, 1867.	
94	Elizabeth Jane Johnson,	Baltimore co.	15	May 23, 1860.	April 1, 1867.	
95	Mary Ann Bramble,	Kent co.	18	June 15, 1860.	October 1, 1864.	
96	John Henry Turner,	Baltimore city.	11	October 5, 1860.	October 1, 1867.	Dec. 15, 1863, Returned home on account of incapacity.
97	Celestia B. Clark,	Kent co.	15	October 26, 1861.	October 26, 1865.	

List of State Beneficiaries in the Columbia Institution for the Deaf and Dumb and the Blind, during years 1862 *and* 1863.

NO.	NAME.	RESIDENCE.	AGE WHEN RECEIVED.	DATE OF WARRANT.	EXPIRATION OF TERM.
1	John Plummer Ijams.	Frederick County.	7	May 23d, 1860.	April 1st, 1867.
2	Mary M. Ijams.	" "	9	" " "	" " "
3	Florence Louisa Dammann.	Baltimore City.		" " "	" " "
4	Margaret Maher.	" "	11	" " "	" " "
5	Anna Jenkins.	" "		" 26th "	" " "
7	Conrad Ingledeiger.	" "		" " "	" " "
8	Andrew J. Lambdin.	" "	14	January 29th, 1861.	January 29th, 1866.
9	Julius Bisset.	Washington County.	14	February 5th, "	February 5th, 1867.
11	Aaron B. Showman.	" "	13	" " "	" " "
12	William Peacock.	Baltimore City.		October 12th, "	October 1st, 1865.
13	Henry C. Wentz.	" County.	16	April 17th, 1862.	September 1st, 1867.
14	Thomas J. Sprague.	" City	11	" 21st, "	" " 1869.
15	David Blair.	Washington County.	10	May 9th, "	" " "
16	Mary Jane Blair.	" "	13	Nov'r, 18th, "	" " 1867.
17	Sarah Jane Wells.	Anne Arundel "	9	" " "	" " 1869.
18	James Edw. Colliberry.	Frederick "	15	" " "	" " 1868.
19	Peter Duffy.	Baltimore City.	13	April 3d, 1863.	April 1st, 1870.
20	Hester Maria Porter.	Alleghany County.	10	Octo'r 9th, "	October " "
21	John Elbert Bull.	Baltimore "	16	" " "	" " "
22	John Henry Turner.	" City.	14	" 20th, "	" " "
23	Thomas Hays.	Harford County.	11	" 23d, "	" " "

List of State Beneficiaries in Maryland Blind Institution, during years 1862 *and* 1863.

No.	*Name.*	*Residence.*	*Age when received.*	*Date of Warrant.*	*Expiration of Term.*	*Remarks.*
4	Joseph Nowell.	Washington co.	12	November 13, 1854.	October 1st, 1862.	
5	Joseph Ann R. Buckler.	St. Mary's co·	18	December 5, "	" " 1859.	Term extended to October 1st, 1862.
6	Thomas Eagle.	Kent county.	11	January 3, 1855.	" " 1862.	
7	Eliza Jane Bassford.	A. Arundel co.	10	February 23, 1855.	" " 1863.	Term extended to October 1st, 1865.
9	George W. Taylor.	Washington co.	12	May 10, 1855.	" " 1862.	
12	Mary Poteet.	Baltimore co.	12	November 14, 1855.	" " 1863.	
17	Wm. Thos. Maxwell.	Cecil co.	16	April 24, 1857.	" " 1862.	
18	Margaret C. Stembler.	Baltimore city.	9	May 23, 1857.	" " 1864.	
19	Amos Dorsey.	Howard co.	11	July 2, 1857.	" " "	
21	William Wood.	Baltimore city.	15	April 15, 1858.	" " 1862.	
22	James Zachariah Airey.	Baltimore city.	10	April 20, 1859.	" " 1865.	
23	William H. Fentress.	Dorchester co.	9	May 7, 1860.	June 1st, 1868.	
24	Louis D. Zumstein.	Frederick co.	11	May 5, 1860.	January 1st, "	
25	Mary Ellen Vernon.	Baltimore city.	23	May 5, 1860.	October 1st, 1862.	Prolongation of former term.
26	Sarah Ellen Willard.	Frederick co.	11	May 5, 1860.	January 1st, 1866.	
27	Mary Neymeyer.	Frederick co.	14	May 5, 1860.	" " "	
28	Margaret Ellen Bassford.	A. Arundel co.	10	May 29, 1860.	April " "	
29	S. Washington Clifford.	Baltimore co.	15	May 29, 1860.	" " "	
30	Emma Josephine Getslich	Baltimore city.	9	May 29, 1860.	" " "	
31	Daniel James Bell.	Dorchester co.	9	August 23, 1860.	September 1, 1866.	Has left the Institution.
32	Anna Kane.	Baltimore city.	20	September 12, 1860.	October 1, 1863.	Prolongation of former term.
33	Louis Henry Tice.	Carroll co.	10	April 3, 1861.	April 3, 1867.	Returned home on account of incapacity, October 1st, 1863.
34	Sarah Elizabeth Cooper.	Talbot co.	12	Arril 3, 1861.	" " "	
35	Ann Emily Bruff.	Baltimore city.	10	April 3, 1861.	" " "	
36	George W. Laviell.	Baltimore city.	14	October 28, 1861.	October 28, 1867.	Expelled October 1st, 1862.
37	Catharine Ann Blake.	Baltimore city.	10	October 28, 1861.	" " "	
38	Edward Darby.	Montgomery co.	18	January 1, 1862.	January 10, 1870.	
39	Charles E. Johnson.	Baltimore co.	9	April 2, 1862.	April 1, 1870.	
40	Francis L. Battee.	Baltimore city.	11	February 10, 1863.	March 1, 1871.	Expelled October 1st, 1863.
41	William Conklin.	Baltimore city.	12	February 17, 1863.	" " "	
42	Paulina Young.	Allegany co.	10	April 21, 1863.	May " "	
43	Eva Ann L. Mysinger.	Frederick co.	9	May 29, 1863.	September 1, 1871.	
44	Janees Nelson Gladhill.	Frederick co.	10	August 28, 1863.	" " "	
45	Ann Lelia Campbell.	Baltimore city.	10	September 8, 1863.	" " "	
46	Anderson Cross.	Allegany co.	9	October 9, 1863.	October " "	
47	Joseph Parsons.	Baltimore co.	21	October 9, 1863.	" " "	
48	Mary M. Winters.	Washington co.	9	November 17, 1863.	December " "	

GEORGE SHARSWOOD, Esq.,

PRESIDENT

Pennsylvania Institution for Deaf & Dumb,

In relation to Increase of Charge for State Pupils.

Philadelphia, February 9, 1863.

To His Excellency,

The Governor of Maryland:

SIR:—By order of the Directors of the Pennsylvania Institution for the Deaf and Dumb, we have the honor to inform you, that such is the increased cost of provisions and clothing, that we can no longer afford to educate, board and clothe the pupils in our Institution at less than one hundred and eighty dollars per annum.

We have fixed upon that sum on estimates founded on the most rigid economy, and without making any allowance for the rent of the building and grounds, which have cost upwards of one hundred and twenty-five thousand dollars.

We propose to apply this rule from and after the first day of —— next.

Will you have the goodness, at the earliest opportunity, to submit this matter to the consideration of the Legislature of your State.

With great respect,

GEO. SHARSWOOD, President.

JAMES J. BARCLAY, Secretary.

PENNA. INST. DEAF AND DUMB,

Philadelphia, March 6, 1863.

SIR:—I have to acknowledge the receipt of your favor of Feb. 11, 1863. It was submitted to a meeting of the Directors of the Pennsylvania Institution held on the 4th inst., and without any formal action by them, I feel myself authorized to say that under the circumstances, the Institution will receive fo the Maryland pupils, as heretofore, $160—reserving a claim for the difference between that sum and $180—from March 1, 1863, to be submitted to the justice and liberality of the Legislature when they meet. The increase has been agreed to by the constituted authorities of the State of New Jersey, and a bill has passed the Senate, and is on its passage through the House of Representatives of Pennsylvania. By the law of Delaware, she pays at whatever rate Pennsylvania pays. The private pay pupils are all notified of the increase from 1st March, 1863. We really should have applied for this increase more than a year ago, as it had become evident, that the sum of $160 was not fully meeting expenses, excluding all charge for rent. Of course the advance in all prices during the year makes the increase now a matter of necessity; as the loss is very considerable, I shall, perhaps, recall this matter to your recollection before the 1st January next—in the meantime, we wish it to be understood that our receipt of the old sum from Maryland is under a reservation of our claim to the increase.

Very truly yours,

GEO. SHARSWOOD.

His Excellency, A. W. BRADFORD,

Annapolis.

Report of Trustees of Sheppard Asylum,

FOR 1862.

OFFICE OF THE "TRUSTEES OF THE SHEPPARD ASYLUM,"
BALTIMORE, 5th January, 1863.

To His Excellency,

THE GOVERNOR OF MARYLAND:

In pursuance of an Act of the General Assembly of Maryland, passed on the 24th day of May, 1853, entitled "An Act to incorporate the Trustees of the Sheppard Asylum," chapter 274, the Trustees of the said Asylum do hereby respectfully

REPORT:

That they have continued, since the date of their last report of the 6th of January, 1862, to administer the affairs of the Corporation to the best of their judgment and ability.

Having obtained such a design for the hospital building as they considered to be satisfactory, and as meeting the liberal and humane views of the founder of this Institution, and which was only decided upon after the most careful study, aided by the best professional, architectural and medical skill and ability which they could employ, the Trustees were enabled, during the past summer, to commence the erection of the Asylum Buildings, and up to the close of the season had succeeded in putting in the foundations to the ground line of about one-half

of the western division; and are now employed in procuring materials for the continuance of the work during the current year.

They have completed such farm buildings as were deemed to be now necessary for the wants of the farm; have continued to construct suitable roads, and prosecuted the farm operations with the view to put the land in a condition to meet the demands of the Asylum.

A full account of the receipts and expenditures during the fiscal year ending on 30th November, 1862, and of the assets and pecuniary condition of the Corporation, will be found in the account or statement certified by the President thereof, which accompanies this report, and to which reference is made for more particular information.

All of which is respectfully submitted,

J. Saurin Norris, *President of the "Trustees of the Sheppard Asylum."*

Richard H. Townsend, *Secretary.*

State of Maryland, City of Baltimore, Sct:

On this fifth day of January, in the year of our Lord, one thousand eight hundred and sixty-three, personally appeared before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for the City of Baltimore aforesaid, John Saurin Morris, President of the Trustees of the Sheppard Asylum," and Richard H. Townsend, Secretary of said Asylum, and Gerard H. Reese, one of the Trustees of said Asylum, and solemnly, sincerely and truly declared and affirmed, that the matters and facts stated in the aforegoing report are just and true, to the best of their knowledge and belief.

Affirmed before

Charles D. Hiss.

OFFICE OF THE "TRUSTEES OF THE SHEPPARD ASYLUM,"

BALTIMORE, December 1st, 1862.

In compliance with the 5th Section of the Act of 1853, Chapter 274, incorporating the Trustees of the Sheppard Asylum, the undersigned, President of the said Corporation, makes the following account or statement, showing the receipts and expenditures for the fiscal year, ending on the 30th November, 1862, and the assets and pecuniary condition of the Corporation, to wit:

On the 1st December, 1861, (up to which date the last annual statement was made) there was cash on hand		$ 6,559 38
Since which time there have been received, up to 30th November, 1862, inclusive, as follows:		
For farm produce sold, and for small items of smith work, &c.....	$ 627 48	
For taxes on Mortgage refunded.....	284 00	
For income of Real and Personal estate..	30,552 27	
From the Executors of Moses Sheppard, deceased, in cash, for account of interest on Extra Dividend Bonds of the Baltimore and Ohio Railroad Company...	5,345 50	36,809 25
		$43,368 63

There have also been received from the Executors of Moses Sheppard, deceased, three hundred and ninety shares of stock of Baltimore and Ohio Railroad Company, (being proceeds of an extra dividend of thirty per cent. on 1,300 shares of said stock held by said deceased at the time of his death) and which was received by this Corporation at the appraised value of $64 per share: say $24,960.

The expenditures during the fiscal year ending 30th November, 1862, were as follows:

For taxes for 1862	$2,060 48
For Repairs of City Property	144 86
For improvements on Farm, including Roads, Quarry work, Implements, Fencing, &c	5,849 72
For Office expenses, Fire Insurance, Water rents, Salaries, Superintendence of Buildings and landscape Gardener, Examination of European Hospitals, &c	6,106 37
For Building Account, expended in materials for and construction of Farm Buildings and the Asylum Building	17,084 22
For farm labor, Stock, Implements, &c	4,667 42
For purchase of a House and Lot on which this Corporation owns a ground rent, and which was sold for payment of Taxes	462 05
	$36,375 12
Balance of cash on hand 30th November, 1862, to be carried to next account	6,993 51

The assets and pecuniary condition of the Corporation at the close of the Fiscal year, to wit, on the 30th day of November, 1862, are as follows:

Sundry Houses and Lots of Ground		$84,572 46
Sundry original Ground Rents, in fee	$167,207 64	
Sundry Sub-Ground Rents	20,000 00	187,207 64
Leasehold property		28,800 00
Sundry Stocks		245,139 57
Mortgages on Real Estate		21,750 00
Furniture and Library of the late Moses Sheppard		657 63
377¼ Acres of Land in fee simple for the location of the Sheppard Asylum		70,896 89
Building account, which represents the cost of the Gate House, Farm Buildings, and Asylum Building, as far as progressed, and the building materials now on hand		32,143 44
Farming account, which represents the value of the Crops, Stock and Implements on the Farm as valued by the Manager		5,916 60
And Cash on hand 30th November, 1862		6,993 51
		$684,077 74

All of which has been received or derived from the Bequest of the late Moses Sheppard, deceased.

J. SAURIN NORRIS, *President of the "Trustees of the Sheppard Asylum."*

State of Maryland, City of Baltimore, Sct:

On this fifth day of January, in the year of our Lord, one thousand eight hundred and sixty-three, before me, the subscriber, a Justice of the Peace for said State, in and for the said City, personally appeared John Saurin Norris, President of the Trustees of the Sheppard Asylum, and made affirmation according to law, that the above account or statement is just and true, to the best of his knowledge and belief.

Affirmed before

CHARLES D. HISS.

Statement of Citizens of Worcester County,

IN REGARD TO PROCEEDINGS AT THE

Election in the 2nd Election District of said County.

Snow Hill, November 12th, 1863.

To His Excellency, A. W. BRADFORD,
Governor of Maryland:

We, the subscribers, citizens of the 2d Election District of Worcester County, in the State of Maryland, do hereby make and subscribe the following statement, and certify to the truth thereof, to wit:

The election in the 2d District in Worcester County is held in Snow Hill, in the room of the Circuit Court, the Judges of Election occupying the seat of the Circuit Judge. The approach, and the only approach to this place open to the public, is from the main street of the town, through the gate of the Court House yard, thence by a walk of some 15 yards to the Court House door, thence by a narrow passage between the offices of the Clerk of the Circuit Court and the Register of Wills (which offices occupy the front of the building) to the door of the Court Room. On the morning of the 3d of November inst., the day before the election, a copy of Gen'l Schenck's General Order No. 53 was hung up at the gate of the Court House yard. On the morning of the 4th of November, about the time the polls were opened, a file of soldiers, under the command of an officer, fully armed and in uniform, were mustered in the Court House yard, and then took their position along the walk, between the gate and the Court House door. They were accompanied by Provost Marshal Straughn, and it was soon evident that it was their intention to prevent all persons from approaching the polls, except such as they might select, under the pretext of carrying

out General Schenck's order. They continued in this position through the day, and a great number of persons, whom we recognized as good citizens, obedient to the laws, and enjoying the confidence of the whole community, were turned back and refused, in insulting terms, even permission to enter the Court House, although they sought such permission quietly and peaceably for the purpose of voting. No pretext for this was offered, as we believe, except the peremptory declaration of Mr. Straughn, that they were disloyal. *Many persons* were prevented, in this way, frem even presenting themselves to the Judges, and *many more* were deterred from making the effort, because they believed it would be useless to do so.

There was no show of resistance, or riot, or disorder, throughout the whole day, and no candidates in the field but regularly recognized Union men. The attention of the Provost Marshal and the officer in command was called to the Proclamation of the Governor and the order of the President, rescinding the most obnoxious part of Gen'l Schenck's Order. They both declared that they should disregard them.

We close this statement by declaring that the conduct of the Provost Marshal and the officer in command of the soldiers was a wanton violation of the rights of the voters. That they prevented a great number of persons from voting, and that such persons as were prevented were legally entitled to vote, and did not come within the description of persons mentioned in Gen'l Schenck's Order, but that the interference of the above parties was solely for the purpose of promoting the election of one ticket over the other.

We further pledge ourselves, if time and opportunity is offered us, to bring ample evidence to sustain the above statement.

Thos. B. Johnson,	Jas. S. Jones,
W. A. Johnson,	J. Thomas Dickinson,
Jos. G. Messick,	Thomas H. Richardson,
Jas H. Selby,	William J. Rounds,
B. Emmit Smith,	Wm. C. Bratten,
Jos. M. Cary,	Jacob. H. Sturgis,

John H. Richardson.

Snow Hill, Nov. 12th, 1863.

To his Excellency,

A. W. Bradford :

Sir :

I deem it proper, in addition to the enclosed, to state that many of those gentlemen referred to as having been refused an opportunity to vote in the 2nd Election District of Worcester County, were persons of the highest respectability in our County, some of our largest tax payers, church members, who are ornaments of their Christian profession, and of unimpeachable integrity—and that undue and improper efforts were made to prevent almost every person from voting the Conservative Union Ticket, whilst every facility was allowed all (even many who were not legally entitled) to vote the radical ticket, who were believed to be inclined to do so, in this district, and the reports from many of the other districts of the County are of an equally, or more, reprehensible character than transpired at our polls.

Very respectfully, yours,

Jas. S. Jones.

Statements of Citizens of Worcester County,

IN REGARD TO PROCEEDINGS AT

3rd Election District of said County.

To His Excellency, A. W. BRADFORD,
Governor of Maryland:

We, citizens of the 3d Election District of Worcestor county, claiming to be loyal to the Government of the United States, and at the same time to have a reverence both for its laws and the laws of the State of Maryland, in order that your Excellency may form some idea as to how the so-called *election*, held on the 4th of this month, was conducted in this county, and especially in this election district, beg leave most respectfully to lay before you the following facts: On the morning of the 4th, a squad of cavalry, helonging to the 3d Maryland, under Captain Hodges, were ordered to the place of voting. Two of said cavalrymen were stationed beside the window where the tickets were received, armed cap-a-pie, and with their sabres drawn. Every voter in depositing his vote was compelled to pass between them, the remainder of the squad were stationed on the other side of the ticket house, immediately before the door. The door itself was locked and persons were refused admission. The Captain himself, during a greater part of the day, was inside the building with the Judges of Election. The Proclamation of your Excellency was brought to the notice of the Judges of Election, and also of Captain Hodges. Upon finishing the reading of it,

the latter declared that the military oves-rode the civil law. In reply to the question which was immediately asked, if Martial law had been proclaimed here; he said that it had. Throughout the day, special pains were taken to put obstacles in the way of those voting the Conservative Union ticket, such as challenging them, making them take the oath: and this even in the case of old grey-headed Union men, while notorious sympathizers with the rebellion were permitted to vote *unchallenged*, provided they voted the Emancipation ticket. One case which created some excitement at the time, deserves particular notice. A man, who has been always regarded as a sympathizer with the South, went up to vote with an Unconditional Union ticket in his hand was challenged by a Union man. The person desiring to vote then declared that he would not take the oath, and that if he had to take the oath he would not vote. And yet with the military order in full force, whenever the Iudependent Union ticket was presented, *this man was permitted to vote!* And more than this, the Union citizen, who challenged the above party, was threatened with arrest by a candidate on the Emancipation ticket!! for merely carrying out the military order which this candidate and his friends were so strenuously upholding. One of the Judges of Election declared that the fact of a voter having an Unconditional Union ticket in his hand was an evidence of his loyalty; and in the case above cited, as your Excellency will notice, this decision was fully carried out. These are but a part —a small part—of the events of the day. In other districts, not only were persons refused permission to take the oath and vote, but the part of the order which was modified by the President, was fully carried out as it was first promulgated. Voters were driven away and told if they returned they would be arrested. A part of the cavalry regiment, in some districts, were permitted to vote although not residents of the county or the shore: *because they were soldiers!*

These and many other similar outrages characterized the memorable 4th of November. As a part of the history of the last election, we have thought it our duty as good citizens to bring these facts to your notice, so that as Executive of the State, your

Excellency may be enabled the better to take such action as your wisdom shall dictate in sustaining the laws of the State, and preserving inviolate the rights of her citizens. It is but proper to add what should have been stated elsewhere, that many qualified voters under the laws of our State, presented their votes, but they were not received, because they would not take the oath required by the military order—they regarding the enforcement of said order in violation of your Excellency's Proclamation, as well as of the Constitution and laws of our State. Numbers were deterred from even presenting their votes, as they knew they would not be received without the test-oath being first administered.

Had a fair election been allowed, we entertain no doubt that the result of the election would have been directly the reverse.

We appeal to you, as Governor of the State, that these wrongs be righted, as far as in your power lies, and confidently await your action in the matter.

November 11th, 1863.

[Signed] Littleton P. Franklin,
Zadok P. Henry,
John W. Henry,
B. Jones Taylor,
John Cooper,
G. W. Staton,
Ephraim W. Brittingham,
James W. Bowin,
Zadok P. M. Purnell.

Statement of Citizens of Worcester County,

IN REGARD TO PROCEEDINGS AT

Election in the 9th Election District of said County.

To His Excellency A. W. Bradford,
Governor of Maryland.

We, citizens of the 9th election district, of Worcester County, in order that your Excellency may be informed as to how matters were conducted in this election district on Wednesday, the 4th inst., beg leave to submit the following facts: Before the polls were opened, a squad of military had arrived, and on the opening of the polls, a line was formed around the place of voting, and quiet and unoffending citizens were ordered outside of this line, and some of them while in the act of quietly reading military order No. 53, of General Schenck's, which was posted up against the ticket house—qualified voters, old residents of the County, upon presenting themselves for the purpose of voting, and upon asking that they might be allowed to take the oath required, in said order, were peremptorily ordered outside of said line and told that they should not be allowed to take the oath or vote, thus going beyond even the military order. Others of our qualified voters under the law of the State, were not only refused the *Privilege* of taking the oath and voting, but were threatened with arrest if they did not leave New Ark, the place of voting. Many persons were deterred from even offering their votes under

such circumstances—men who were willing to take the oath required by the military order. All these things seemed to be done under the supervision of a prominent candidate on what was styled the Unconditional Union Ticket, a candidate under whose authority the military were not loth to act. The Proclamation of your Excellency was received by the Judges of Election, but from what has been already written, it will be seen, was entirely disregarded. Men, who were notoriously sympathizers with the South, were allowed to vote unchallenged if they held an Unconditional Union Ticket in their hand. Now it is perhaps well known to your Excellency that the Opposition Ticket was composed of men of unquestionable loyaly—men who from the beginning of this rebellion have been heart and soul with the National Government in its efforts to sustain itself against those seeking by force of arms to take its very life, and to trail its beloved flag—symbol both of Union and Liberty—in the dust.

Shall *Union men*, then, be treated with such indignities and outrages? Shall they thus be crushed? We confidently look to your Excellency, as Chief Magistrate of the State, to see that these wrongs shall be righted, the laws of the State be sustained, and the honor of a loyal State be kept untarnished.

All of which is respectfully submitted.

(*Signed*) William F. Boston,
Aaron B. Williams,
William Marshall,
Whittington Jones,
James S. Zoyh,
Edwd. P. M. Davis.

Report of Judges of 1st Election District of Worcester Co.

OF THE CONDUCT OF

DEP. PROV. MARSHAL AT THE ELECTION.

To Your Excellency A. W. Bradford.

Sir:—We, the Judges of the first election district of Worcester county, appointed by the County Commissioners of said county, appeared at the place of voting in the district, on the 4th of this inst., and duly qualified as prescribed by the laws of the State, and opened the polls, and the voting began, when W. T. Henderson appeared on the ground with a squad of cavalry fully armed, and quartered them about twenty feet from the door that led to the ballot-box, and began to challenge all who offered to vote the white or Crisfield tickets. Mr. Davis came to vote, and Henderson said you can't vote. He asked Davis will you take the oath, he said yes and as we were about to administer the oath prescribed in Gen. Schenck's Order No. 53, which had been a test for Crisfield voters, Mr. Henderson ordered Sergeant Tonitt to arrest Davis and take him in custody, and thus Davis left the polls without voting. Another man came up with a Crisfield ticket in hand and offered to vote and Henderson said to us, if you take that man's ticket I will take the ballot-box from you, and thus he did not vote. A man named John Pruth came to vote but was challenged by some one and refused to take the oath, was turned down, but after a while came with a Creswell

ticket and Henderson ordered us to take his ticket. He being a resident of Virginia, we refused to take it. Henderson said he was Provost Marshal, and he with the military obstructed the voting and so acted as to intimidate the voters. Your Proclamation and the President's revoke of the 1st article of General Schenck's Order was read and Henderson said that he did not regard it and that he and we should act under Gen. Schenck's Order. We as Judges signed the election returns as a matter of form, but think the election in this district was illegal on account of the action of the Provost Marshal and the Military preventing the voting. And we hope if it is within your power you will correct this wrong that has been perpetrated upon our people.

With due Resp't

BARNABAS TAYLOR, *Judge 1st District.*

WILLIAM C. PRUITT, *Judge 1st* "

Worcester Co.

STATEMENT.

Dr. J. F. B. McMaster, about Election Proceedings in Worcester Co.

New Town, Nov. 7th, 1863.

Gov. A. W. BRADFORD:

Dear Sir:

The outrages perpetrated on the Ballot Box in this County, on Wednesday last, has induced me to briefly inform you of the main facts, as they come under my knowledge. The order of Gen'l Schenck, No. 53, as modified by the President of the United States and your Proclamation to the people of Maryland, were both treated as a nullity by the Deputy Provost Marshal (Wm. Henderson) at the polls held in this district, No. 1, (Caston's) and the whole matter conducted as he saw proper. Loyal voters were arrested, without accusation, before they could vote, while other were not permitted to come to the ballot box, but were ordered, peremptorily, to leave the polls. In one case a voter, after he had taken the oath of allegiance, was ordered from the ballot box before his vote could be deposited, and the Judges of Election informed that if they took his ballot that they would be arrested, and the Military would act as Judges, which threat intimidated them, and the ballot was not taken. The action in this case prevented a number from voting, the people saying, that if they could not vote after they had taken the oath of allegiance, that they would retire, which

they did, and, in consequence, only about a two-third vote was cast in this district. At other polls in the County, similar outrages were committed, and even greater ones, all of which will be presented to you in a few days. I have thought it my duty to inform you of these facts, and to *enter my earnest protest* against the legality of the election thus held.

I have the honor to be,
Your obd't srv't,
JOHN T. B. MCMASTER.

CITIZENS OF WORCESTER,

In Reference to Election.

Snow Hill, Worcester Co., Md., Nov. 10, 1863.

To His Excellency,

A. W. BRADFORD :

The undersigned, citizens of Worcester county, who have been and still are devoted to the Union, and the Constitution on which that Union is based, do hereby respectfully petition your Excellency to suspend the issuance of commissions to such persons as the election returns, sent to you from this county, may indicate to have been elected, until you shall have received from us a full statement of the manner in which such pretended election was conducted.

It is our intention to forward to you a detailed statement of the doings of the military in each of the districts in our county ; and we pledge ourselves to demonstrate that it was no election at all, and such acts of gross and unconstitutional violence and fraud were never before perpetrated upon a free people.

Daniel Halloway,	Jacob H. Sturges,
S. S. McMaster,	James S. Jones,
George W. Covington,	R. J. Henry,
George T. Bratten,	Seil C. Seabreze,
George W. Bishop,	R. E. Bevans.

THOMAS MASON,

AS TO

ELECTION IN WORCESTER COUNTY,

AND THE CONDUCT OF

Wm. T. Henderson, Deputy Provost Marshal.

Sandy Hill, Nov. 9th, 1863.

To His Excellency,

Gov. A. W. Bradford:

Sir:—On the 4th of Nov., 1863, I was at the polls at the First Election District of Worcester county, in which I am a voter; I arrived on the ground about 10 o'clock, A. M., and I was met by Mr. Isaac J. Davis, and he said that he was ordered under arrest, but was permitted to remain on the ground, and remarked to me that Mr. Wm. T. Henderson would not let him vote, and I said, will you take the oath? and he said that he would; but that Mr. Henderson would not allow him—and we had some other conversation, and he said to me, will you go and see Mr. Henderson, and ask him if I can take the oath and vote? and I proposed first to go and see the military officer in command, and see what he would say, and myself and Mr. Davis went, and I asked the officer if he (Mr. Davis) could vote by taking the oath, and the officer said that he had nothing to do with it, that he received orders from Mr. Wm. T. Henderson. I then went to Mr. Henderson, and I asked him if Mr. Davis could vote by taking the oath, and the said Henderson said that the said Davis could not vote no way, and I said to Mr. Wm. T. Henderson, why?

and Mr. Henderson said that he had received orders from Snow Hill that no open and avowed rebel should vote at the polls. I said to Mr. Henderson, what do you do with the Governor's Proclamation and the President's revokal of a portion of the military order, and he said that he did not regard them as they did not come official; well, said I, the military order will allow him to vote if the said Davis will take the oath; his reply was go away Tom, I will not be dictated to, and he seemed to be some out of temper, and I went off and said no more. Thinking that this will give you some idea of the election in the First Election District, with other documents that you will receive, I close by signing my solemn protest to all such abuse of our State laws and Constitution.

Your obedient servant

THOS. MASON,

A Union man of the First Election Eistrict of
Worcester county, Maryland.

S. C. SEABREASE'S

Statement about Election in Worcester Co.

Salisbury, November 11th, 1863.

To His Excellency,

GOVERNOR BRADFORD:

SIR:—On November 4th, 1863, I was present at the polls in the Fifth Election District of Worcester County, and was also a candidate on the Union ticket of said County for Commissioner. Early in the morning the polls were in the possession of the military, who challenged all voters who did not present yellow tickets, and all who offered a white ticket were challenged, and in a number of instances, those who are known to be staunch Union men were not allowed to vote, although willing to take the oath, because they were desirous of voting for the Hon. J. W. Cresfield for Congress, and the true Union men for County officers. Finding this to be the case, I did not offer my vote. I was present at Anther's District, and the same thing was enacted there. Lieutenant Wallis, with his men, challenged good Union men's votes. In fact, the parties would not regard your Proclamation, and for one I consider the entire election a fraud; and the course persued, if not properly rebuked, will redound to the injury of the Union cause in this County. If required, will send you affidavits of these facts.

I am, respectfully,

Your obedient servant,

S. C. SEABREASE.

STATEMENT.

J. D. JONES AND OTHERS.

OF PROCEEDINGS AT POLLS IN

Princess Ann, Somerset County, Nov. 4th, 1863.

A Statement of the proceedings which led to the interruption and arrest of of the Election at Princess Ann, in Somerset County, on Wednesday, 4th of November, 1863.

I arrived in Princess Ann about 9 o'clock A. M., on the morning of this day, and saw a detachment of about twenty armed cavalry men in front of Twilleg's Hotel. I observed a cavalry officer, whom I afterwards learned to be Captain Moore, of the 3d Maryland Cavalry, standing in front of Wilson's Hotel, with perhaps a dozen persons standing near. As I approached, I heard Mr. John V. Pinto, one of the Judges of Election (who was standing immediately in front of the officer), reading aloud from a large printed handbill, the oath to be taken by voters under Gen'l Schenck's Order No. 53. Upon Mr. Pinto's having finished reading the oath, an inquiry was made by some of the officers if he had seen the Proclamation of Governor Bradford and the President's Order, modifying Gen'l Schenck's Order No. 53. He replied, "I have seen them, but they were not officially communicated to me, and I cannot recognize them." He stated that his orders came from the Major of his regiment —that if the President's Order had been officially notified to

him, he would feel bound to obey it; not being so notified, he must obey the instructions which he had received. Capt. Moore was then asked if he had received instructions how to execute that part of Gen'l Schenck's Order "to report at Head-Quarters the Judges of Election who might refuse to execute Order No. 53;" if so, how he proposed to execute such Order. He replied that his instructions were to arrest the Judges and take them to Baltimore.

The Judges of Election then proceeded to the Court Room, when some cavalrymen were observed putting up against the Court House door, a large printed handbill cotaining Order No. 53. Upon entering the Court House, one of the Judges of of Election handed a copy of the Governor's Proclamation to Robert W. Dougherty, Esq., who said that he had not seen it, and proceeded to read the same aloud. When he had concluded the reading of it, the oath of office was administered by a Justice of the Peace to Mr. John V. Pinto, Wm. H. Fisher and James M. Dryden, as Judges of Election; and the Judges being qualified, called on the Sheriff to preserve order and protect the polls from interruption. The Sheriff inquired how he was to do so? Some one in the crowd said, "summon the by-standers to aid you;" some one else objected to this, and it was suggested that, as he had no armed posse comitatus at his command, he was powerless to resist the armed military force then present in the town. At this moment Capt. Moore, with several soldiers, entered the Court House, and proceeded to station his soldiers from the Court House door on each side of the pass way leading to the desk where the Judges sat. Whilst Capt. Moore was thus stationing his men, the Judges announced the opening of the election, and Wm. J. Brittingham, Esq., offered his vote. Just as it was received by the Judges, Capt. Moore stepped up hastily and called out "that he challenged that vote." Coming up to the desk, he required the Judges to administer the oath required in order No. 53 to Mr. Brittingham. Mr. Brittingham said, "I am ready to take it." One of the Judges inquired of Capt. Moore if he intended to disregard the Proclamation of Governor Bradford, and require them to ad-

minister the oath required by General Schenck. Capt. Moore replied that he did. The Judge then said, "We administer the oath under coercion," and proceeded to read to Mr. Brittingham the oath in General Schenck's Order No. 53, which Mr. Brittingham took; his vote was then received, and directed to be recorded by the Clerks. Mr. Arthur Cresfield then advanced between the file of soldiers to the Judges' desk, and offered his vote. Capt. Moore, who was standing by the desk immediately fronting the Judges, challenged his vote and enquired his name. The reply was "Arthur Cresfield." Capt. Moore, pulling a paper from his pocket' examined it and proceeded to interrogate Mr. A. Cresfield in substance as follows:

Capt. Moore.—"Are you loyal?"

Mr. A. Cresfield.—"I am."

Capt. Moore.—"Have you ever been in the Rebel service?"

Mr. A. Crisfield.—"No."

Capt. Moore.—"Have you ever sympathized with those in rebellion against the Government?"

Mr. A. Crisfield.—"I have never given aid, assistance or encouragement to the South."

Capt. Moore.—"Do you acknowledge this to be a rebellion against the Government?"

Mr. A. Crisfield.—"I acknowledge this."

Capt. Moore.—"Are you in favor of prosecuting the war to put down the rebellion, by every means, and of voting men and money for that purpose, and that all your property may be devoted to the prosecution of the war?"

Mr. A. Cresfield.—"Define the means."

Capt. Moore.—"By blockades, cutting off supplies from the the South, and *every* means known in civilized warfare."

Mr. A. Crisfield.—"I think the Government has the right to prosecute the war by all the means recognized by international law and civilized warfare, within the limits of the Constitution and laws of the country."

Capt. Moore.—"Are you in favor of prosecuting the war by *every* means?"

Mr. Crisfield was repeating the same reply as that to the former question, when Capt. Moore turned to the Judges and said, "Administer the oath to him." Mr. Pinto, one of the Judges of Election, then arose and said, "We disapprove of this mode of conducting the election; it is impossible to conduct it in this way; we shall never get through; we are sworn to conduct the election according to the laws of Maryland; if we are not permittted to do so, we submit to arrest."

Capt. Moore—"You refuse, then, to carry out the order of General Schenck?"

Mr. Pinto—"We decide to obey the Proclamation of the Governor and the Order of the President." Capt. Moore then arrested the Judges and said "the arrest is for refusing to obey the Order of General Schenck." The Judges then said the Election was closed and Capt. Moore required them to report themselves to him under arrest at Twilling's Hotel which they promised to do.

Capt. Moore informed them that they were to be taken to the City of Baltimore. Before he left the Court House, Capt. Moore was asked if the Election had proceeded had he intended to challenge every voter and require him to take the oath, he replied that he had so intended. He was then asked if he had intended to interrogate every voter as he had Mr. A. Crisfield. He replied every one who had been known to utter disloyal sentiments. Hon. J. W. Crisfield then approached Capt. Moore and enquired of him if he could inform him whether *his* name was on the list of those to be interrogated and challenged. Capt. Moore replied that he could'nt say what names were on the list. Mr. Crisfield said "my name was *seen* upon it." Whereupon Capt. Moore said "your speeches Mr. Crisfield are sufficient for you" or words to that effect.

The foregoing statement of what transpired within my view and hearing this morning was committed to writing immediately after the events transpired, and is as literal and accurate as my memory enables me to make it.

I have been informed that an hour or two after their arrest the Judges of Election left town under a military guard for the City of Baltimore.

After the arrest of the Judges of Election a Cavalry patrol was stationed in the principal streets of the town with presented carbine, who have continued till this hour (2 o'clock P. M.) to ride up and down the streets while several others occupy the Court House. The most perfect quiet and good order has been preserved by the citizens.

[Signed] ISAAC D. JONES.

Princess Ann, Maryland, Nov. 4, 1863.

We the undersigned citizens of Maryland were present at the scenes described in the foregoing statement and heard what passed and we certify that the foregoing statement is true in all its essential particulars to the best of our recollection.

[Signed]

JOHN H. STEWART,
T. L. TOMKINSON,
R. HAYMAN,
JOSEPH SMITH,
JAMES M. DRYDEN,
JOHN V. PINTO,
J. W. CRISFIELD,
ARTHUR CRISFIELD,
ISAAC T. MARSHAL,
JNO. A. LARMORE,
E. F. DUER,
W. J. BRITTINGHAM,
HENRY PAGE,
JOS. F. SMITH.

We, the undersigned, the Judges of Election for the Princess Ann District, in Somerset County, now being released, Certify that we have read the forgoing statement of Mr. Jones of what occurred at the Polls of said District yesterday, and that we declare the said statement is true in every essential particular. We further certify, that immediately after our arrest we were carried, under a Military guard, to Salisbury, and there placed in the guard house at the Camp near by, with a prisoner whom we found therein.

In a short time we were discharged by order of Collier, the Deputy Provost Marshal, issued as we were informed by the direction of Gen. Lockwood. We annex a copy of said discharge.

(*Signed*) JAMES M. DRYDEN,
JOHN V. PINTO,
W. H. FISHER.

PRINCESS ANNE, Nov. 5, 1863.

DEPUTY PROVOST MARSHAL'S OFFICE,
Salisbury, Nov. 4, 1863.

Wm. H. Fisher, John V. Pinto, James M. Dryden:

GENTLEMEN:—I have no power to hold you as prisoners, but am required to report the circumstances of your refusing to act Judges of the Election to Gen. Schenck. You are therefore released as prisoners of mine.

Respectfully, &c.,

(*Signed*) LEON. D. COLLIER,
Dep. Provost Marshal,
Somerset County.

AFFIDAVIT

OF

Judge of Election in Queen Anne's Co.

State of Maryland, Queen Anne's County, to wit: }
Nov. 11*th*, 1863. }

Then came John A. W. Bryan before the subscriber a Justice of the Peace of the State of Maryland, in and for Queen Anne's County aforesaid, and being duly sworn according to the Law deposes and says, that he was one of the Judges of Election in the 5th Election District of Queen Anne's County aforesaid, held on the 4th inst: that before entering upon the discharge of his duties as said Judge he was compelled by a man wearing the arms and uniform of the Federal Government and claiming to be a Lieutenant in the Federal service, to take the oath set forth in General Schenk's general Order No. 53—that said Lieutenant had with him a number of armed soldiers who were stationed immediately about the place of voting on the said day of election—that after the polls were closed the said Lieutenant arrested this deponent on the charge of having received a Democratic vote in the absence of the challenger, who had been stationed at the said polls, and without administering to said voter the oath of allegiance: that this deponent was taken by the said Military Authorities some eight miles from the place of voting and was held in custody until the next morning, when he was discharged—that about eleven o'clock on the morning of the

5th inst. he was again arrested by William T. Chambers, deputy Provost Marshal, on the charge of having received a vote as Judge of the election after the voter had been challenged and without administering to him the oath of allegiance—which charge this deponent says is wholly false—and that he did not refuse or decline to administer the said oath to any one who was challenged for his want of loyalty—but on the contrary he did administer the said oath to some seventeen or eighteen voters who had been challenged for a want of loyalty, and to every voter to whom this deponent heard the said objection made: This deponent further says that not half the usual vote was polled in the said 5th District at the said election—and this deponent believes that this deficiency in the vote of said district is to be mainly attributed to the presence of the Military at the polls—to the exaction of the test oath, and to the conviction on the part of the voters that the election was not only not fair but was a farce, and that this belief is founded upon conversations with a number of legal voters in the said district, who stated that they had not voted from some one or more of the above reasons.

JOHN A. W. BRYAN.

Sworn before and certified by

JOHN H. ROWLENSON, J. P.

R. E. C. DOWNES,

Church Hill,

Complains of the Proceedings of the Military,

AT THE ELECTION.

Church Hill, Md., Nov. 9th, 1863.

His Excellency,

Sir :—I think it right to inform you (since your last order) of the manner our polls were conducted at the late election. It will be remembered with disgrace till the end of time. About sun up, ten Union cavalry soldiers marched through the town, with arms, &c., to the District Provost-Marshal's grog shop ; alighted, and walked in for awhile. They remounted and went over to Mr. Levi Deford's, a Democrat, to feed their horses, breakfast, &c., &c.; they then returned, went up to the polls, and were in and around the window all day till dark, and then returned to Mr. Deford's for the night ; (and having damaged his family carriage) they breakfasted and left him the next morning.

The soldier was fined, and Mr. Deford paid for the damage to his carriage. In addition to this, two challengers stood, one on each side of the window, and no ticket was allowed to go in but a Union ticket only, without a challenge ; they would not admit a Union ticket with a *name scratched off*. There was

not a Democrat allowed to vote his ticket all day, and there was only one hundred and eighty votes polled in this district, where there are from four hundred and fifty to five hundred voters. Even some few Union men did not vote—they were styled "Copperheads" by the Creswell men, and their votes were not wanted. There was no noise or disturbance at the polls, and none expected, to my knowledge.

As for myself, I was a "Henry Clay (old line) Whig," but I am now simply a constitutional Union man, and go for the "*Old Regime.*" We generally feel outraged by this election, and think that the Provost Marshal, J. H. Jones, the keeper of a grocery store, should be handled for his conduct on that day towards the people.

I am, sir, very respectfully
Yours, &c.,
R. E. C. Downes, A. M.,
Principal of Church Hill Academy.

Memorial of Defeated Candidates in Kent County,

ASKING THAT COMMISSIONS MAY NOT ISSUE, &C.,

In consequence of the Military Interference.

Galena, November 25th, 1863

To His Excellency, AUGUSTUS W. BRADFORD,
Governor of Maryland:

The memorial of the undersigned respectfully represents—That they are citizens of the United States, and have been for many years residing in Kent county, in the State of Maryland: that by the choice of many of the voters of the county, your memorialist, Samuel Comegys, was selected as a candidate for the office of the Clerk of the Circuit Court; Edwin Crouch for the office of Register of Wills; William H. Pennington for the office of Sheriff; and Philip Medders for the office of Justice of the Peace in the First Election District—and as such candidates submitted their names to the electors of the county, to be voted for at the election, which in obedience to the Constitution of the State of Maryland, should have been held on the 4th day of November, in the year 1863.

Your memorialists, in justice to your Excellency and for the purpose of vindicating the rights of the citizen, and maintaining in form and in substance the prerogative of the electors of the county to a full and fair ballot, do state, that the election nominally held in Kent county on the 4th day of November, was illegal and void. To sustain this assertion, your memorialists respectfully submit a statement of facts known to every voter

in the county. On the second and third of November a military force, fully armed, and estimated to number from three to four hundred men, was landed at Chestertown, the county seat, and on the afternoon of the second, the *original* Order, known as order No. 53, issued by the Commander of the Middle Department, was circulated through the county, and bodies of armed men detailed to disarm the citizens. During the morning of the third, the following order was issued by Col. Tevis, the officer in command of the military forces:

"Hd. Qrs., 3d Maryland Cavalry,
Chestertown, Nov. 3d, 1863.

Whereas, the President of the United States, in reply to a letter addressed to him by Hon. Thomas Swan, of Baltimore city, has stated that all loyal qualified voters should have a right to vote, it therefore becomes every truly loyal citizen to avail himself of the present opportunity offered to place himself honorably upon the record or poll book at the approaching election, by giving a full and ardent support to the whole Government ticket, upon the platform adopted by the Union League Convention. None other is recognized by the Federal authorities as loyal or worthy of the support of any one who desires the peace and restoration of this Union.

[Signed] Charles Carroll Tevis,
Lt. Colonel Commanding."

Which order was not rescinded, or any public or general notice given on the fourth, or prior thereto, that it was not in force, and binding upon the voters of the county. On the fourth, the day of the election, the military force before referred to, was distributed at the different polls of the five Election Districts of the county, and these bodies of armed men under the command of their officers, were not only marched within view of the places of holding the election, but during the whole day were stationed within a few feet of the ballot box.

In one of the Election districts, soldiers with drawn sabres were stationed on either side of the ballot box, and the voter

was compelled to approach the Judges' stand between the files of armed men, and deposit his ballot, if permitted to do so by the officer in command. In one other of the districts the polls were not opened until nearly twelve o'clock, in direct violation of the laws of the State, when many of the voters of the district had returned to their homes. At the polls of four of the districts of the county, a military officer was stationed near the Judges of Election, and challenged and rejected voters in many instances, without referring to the Judges whose right and duty it was to decide upon the legality of such votes. The result of such unprecedented proceedings was that the voters of the county were impressed with the conviction that the election was entirely under the control of the military power of the United States, and that they would not be permitted to vote unless the caprice of the officers in command should sanction it, or they would vote for the candidates indicated by the order of Colonel Tevis.

Your memorialists submit, that the Constitution and laws of the State were openly defied, and the election by the intervention of the military power of the Government, and the course pursued by those in command, utterly null and void. It is needless for your memorialists to refer your Excellency to the Bill of Rights and Constitution of the State of Maryland, which prescribes the qualifications of voters, and the declaration therein contained, "that elections should be free and frequent, and every free white male citizen, having the qualifications prescribed by the Constitution, ought to have the right of suffrage."

The Proclamation of your Excellency of the second of November, to the citizens of the State, indicates most clearly the opinions entertained by your Excellency, and your determination to preserve unimpaired the right of suffrage and the freedom of the ballot box. The power is vested by the Constitution of the State in your Excellency to "issue commissions to the different persons for the offices to which they shall have been respectively elected." A power that depends for its exercise upon the fact, that an election has taken place. Whether in fact an election, in accordance with that Constitution and the laws made in pursuance thereof, was held on the fourth of November, is a question

which your memorialists submit, to be determined by a due consideration of the facts stated in this memorial. Your memorialists respectfully request that you will not recognize this pretended election, and that you will refuse to issue commisions to the different persons who have been returned from Kent County, elected to the offices named in said returns.

All of which is respectfully submitted,

EDWIN CROUCH,
WM. H. PENNINGTON,
PHILIP MEDDERS,
SAM. COMEGYS.

Statement of Thos. Sudler, &c., & Geo. Davy,

Judge of Election,

OF PROCEEDINGS AT POLLS, OF POTATO NECK DISTRICT, SOMERSET COUNTY,

On November 4, 1863.

The Statement of Thomas Sudler relative to the Proceedings at the Election Polls in Potato Neck District, in Somerset County, on the 4th day of November, 1863.

I was one of the first at the voting place; I found the Judges of Election and certain soldiers; the polls were not then open. I saw the Judges reading a paper, which I ascertained was the "Order No. 53," issued by General Schenck. I then displayed the Proclamation of the Governor of Maryland, which had reached me by express the night previous. The officers in charge of the soldiers asked me to read it, which I did. The Sergeant—the officer mentioned above—then said: "I have orders to enforce General Schenck's Order No. 53." I enquired further of the Sergeant concerning his order; the Sergeant replied that before he left the camp at Princess Anne, and before the Proclamation had been received by the Captain of the whole body of troops in the camp, he received orders to enforce the Order No. 53—to challenge every voter, to examine all tickets offered, to administer the oath contained in Order 53, and to decline to allow any tickets but the yellow or Creswell ticket to be polled. That after the Proclamation was received at camp, he was ordered to enforce Order No. 53, as it had been modified by the President—to administer the oath—to challenge every man who offered to vote, and to prevent all from voting who presented any but the yellow or Creswell ticket—that he was to examine every ticket.

I asked him if there were any other troops in the county. He replied: "Although we are few, if there should be a disturbance, we can easily get enough to wipe you all out;" that a thousand more soldiers had arrived in Princess Anne after the departure of Mr. Sudler from Princess Anne on the night previous.

The voting then began, and until twelve o'clock no one was challenged, though some voted, the Sergeant giving as a reason that he did not know the sentiments of the people who offered to vote. After twelve, the Sergeant did challenge all who came up to vote, and administered to them the oath contained in Order No. 53. There were very few voters at the polls, the mass of the people were deterred from coming out by fear of the soldiers, who were reported to have received orders to arrest all who voted for Mr. Crisfield.

[Signed.] THOS. SUDLER.

The above statement corresponds in substance with that of a conversation held by me with the Sergeant mentioned therein, on the 4th day of November, 1863.

I arrived at the polls soon after Mr. Sudler, and his statement of the proceedings at the polls is correct.

[Signed.] JOHN S. SUDLER.

I am one of the Judges of Election within named. The statement of Mr. Thos. Sudler, as far as I heard and saw, is true. The oath prescribed by General Schenck was administered to all voters after 12 o'clock. At that time one William Holland was placed at the polls by the officer commanding the soldiers, with instructions to challenge disloyal persons. He challenged one, and the Judges then determined, for the sake of peace, to swear every voter, which we did. Every man who refused to take the oath, we turned down, and refused to permit to vote. We turned down several. There were about 95 votes polled on the 4th—a full vote would be over 200. A number of voters at the polls would not, in face of these proceedings, *would not* offer to vote, and very many were deterred from going to the polls.

[Signed.] GEORGE DAVY.

STATEMENT OF WILLIAM WALTER,

AS TO PROCEEDINGS AT

Tyaskin District, Somerset County,

ON THE DAY OF ELECTION, 1863.

The Statement of William Walter, relative to the Proceedings at the Voting Place in Tyaskin District, in Somerset County, Maryland, on the 4th day of November, 1863.

I was at the polls at the time of their opening by the Judges; there were six soldiers present, armed and commanded by a Corporal, as I believe, but under the control of John W. Davis, Deputy Provost Marshal. One soldier was stationed on each side of the window through which the voters handed their ballots to be deposited in the ballot box. They were both fully armed with carbine and sabre. I asked Mr. Davis why these soldiers were posted at the window, and he replied that they were to protect the Judges.

Mr. Davis said, previous to the opening of the polls, that if I would vote for him, I would not be interferred with, nor would any one else who would vote for him. Mr. Davis was a candidate for Sheriff of Somerset County. He said no one would be questioned who would vote for him. The Democrats then, as it was rumored, agreed to put Mr. Davis on their ticket, and give him their votes in consideration for the privilege of voting as they chose unquestioned. The election then went on without interference by the soldiers. The non-interference was commonly understood to be the price paid by Mr. Davis for the

Democratic vote. But after the polls were closed, and the votes counted, it was discovered that Mr. Davis had received only ten or eleven votes.

The polls were thinly attended, two hundred and forty votes only were given, while at the election of 1861, there were polled three hundred and twenty-seven. This scanty attendance was caused by the belief prevalent among the Union men favorable to Mr. Crisfield, that if they went to the polls and voted, or offered to vote for Mr. Crisfield, they would be required to take an oath, and otherwise interfered with. It is strange that the Democrats felt no such fear, and all who favored Mr. Davis and the candidate for Congress, Mr. Creswell, were reported to be in no danger of being questioned. I was at the polls nearly all day.

[Signed.] WM. WALTER.

Thursday, 5th, 1863, *Princess Anne, Md.*

STATEMENT.

G. T. Renshaw, one of Judges of Election,

HUNGARY NECK DISTRICT, SOMERSET COUNTY,

Of Proceedings at these Polls, Nov. 4, 1863.

Statement of George T. Renshaw, one of the Judges of Election in the Hungary Neck (No. 10) Election District of Somerset County, November 4th, 1863.

We the Judges of Election reached the place of voting in said District about 9 o'clock, A. M., and we found a squad of cavalry under command of a Sergeant, fully armed. They remained there during the day, around about the ballot box, one at least always being present.

The Sergeant said, before we opened the polls, that all who voted the white (or Crisfield) ticket, must take the oath before they could do so; and in obedience to his order, the oath was administered to all such. Persons voting the Democratic ticket or the yellow (Creswell) ticket, were not required to swear. Every ticket was by his ordes examined, and if Mr. Crisfield's name was on it, the voter was required to swear before he was allowed to vote. We polled only 69 votes; the full vote of the District is about 110 votes.

[Signed.] G. T. Renshaw.

Statement of Cyrus L. Jones,

JUDGE OF ELECTION IN TANGIER DISTRICT, SOMERSET COUNTY,

Of proceedings at Polls, Nov. 4, 1863.

The statement of Cyrus L. Jones relative to the proceedings at Deal's Island Polls, in Tangier Election District, in Somerset Co., Md., on the fourth day of November, 1863.

I am one of the Judges of Election—the chief judge. I arrived at the voting place above mentioned before the usual time of opening the polls, and found a Sergeant and six or eight cavalrymen, fully armed. At nine o'clock, the time at which the polls usually open, I, with my brother Judges, took the oath prescribed by the laws of Maryland, and opened the polls. The Sergeant then advanced and said we would have to take the oath prescribed in Order No. 53 of General Schenck. "If you don't take it your election shall be void," were his words; and being under coercion, we took the oath prescribed in said Order, and the voting commenced.

In response to a question I asked him, the Sergeant pulled out of his pocket a yellow or Creswell ticket and said, "This is the only ticket that shall be voted to-day." I then mentioned that I had received the Proclamation of Gov. Bradford, which had that very morning reached me by express, and called his attention to it; the Sergeant said he "had nothing to do with the Governor's Proclamation," that his orders "were above that," and added that the orders of the Provost Marshal had to be obeyed that day. I said if the oath is to be administered

to all who come, you will have to do it. Our orders are to allow every one twenty-one years old to vote. I called the attention of my brother Judges, saying, "there will be a hereafter to this." The Sergeant then guarded the window through which the ballots were handed in to be put in the Ballot Box with soldiers, took his place at the window, and rejected all who would not vote the yellow or Creswell ticket. He did not permit a single ticket of any other description to be polled, although I saw two men make several attempts, at different times during the day, to vote a ticket with Mr. Crisfield's name on it, and many other men were intimidated from offering to vote. Dr. Rider attempted to vote a white ticket, but was not allowed; he then went off, as he said, to Dame's Quarter, and coming back, said, "I can get a guard, and come here and vote my ticket in spite of these men," (meaning thereby the soldiers). I said, "Doctor, do it." He then said, "No, I don't want to make any disturbance," and he did not vote. I think—I am confident—Dr. Rider's ticket had Mr. Crisfield's name on it as candidate for Congress. He asked if he could vote his ticket, and the Sergeant or some other soldier refused and turned him back. I protested against the presence of the soldiers—said there was no need of them—that there would be no disturbance, unless they themselves created it; but nevertheless they remained, and prevented a free election.

[Signed.] CYRUS L. JONES.

Statement of Sundry Union Voters of the events of the

OF THE ELECTION IN

Princess Anne District, Nov. 4th, 1863.

We, the undersigned citizens of Somerset county, State of Maryland, and residents of Princess Anne Election District, feel it our solemn and imperative duty to set before his Excellency, the Governor of this State, an accruate and perfectly truthful exhibit of the result of an attempt to hold the election for State and County officers on Nov. the 4th, 1863, in said district.

1st. We do most solemnly declare that we are now, and ever have been during the entire period of our National troubles, ardent and uncompromising Union men; that we are now, and ever have been, unswerving in our loyalty and devotion to the Constitution and Government of the United States; that we are now, and ever have been, exceedingly anxious to have the integrity of our Government preserved and the National authority permanently established over the National territory.

The knowledge of Gen'l Schenck's order in relation to the election came to this community on Monday evening, the 2d inst. This intelligence created a deep and painful anxiety in every bosom, but there was cherished on the part of every citizen a strong hope that this most unnecessary, offensive and, in our apprehension, unconstitutional order, would not be carried out, and our fears and the excitement of the public were much allayed on the reception of your Proclamation, which came to

our town on the evening of the 3d inst., protesting against the order of Gen'l Schenck. But how were our most painful apprehensions more than realized when we found our town visited on the morning of the election by a company of armed soldiery for the express purpose of controlling, governing and determin- the character of the election—in other words, deciding the eligibility of every voter. The order of incidents in connection with this proceeding was as follows: In the first place, the Judges of the Election were summoned before the commander of this military force in front of Washington Hotel. Then they were informed by him that he and his company were there for the purpose of carrying out the order of Gen'l Schenck and that he should do it literally at all hazards. When reminded of the Proclamation of Gov. Bradford and the President's modification of the order No. 53, his reply was that no such Proclamation or modification had come to him officially, and, of course, he could pay no regard to them. Then when the Judges repaired to the Court House, the place of voting, a military force was placed around the entire building and some half dozen or more armed men at the door and inside of the house. And then when the Judges of Election had been sworn in by a magistrate and taken the oath preseribed by the statute of Maryland and taken their seats, the Captain of this military force took his position in front of the ballot box for the purpose of challenging and determining who should vote. At this stage of the proceedings no one seemed willing to vote, but after considerable discussion between the Judges and this military officer upon the remarkable nature of this proceeding, Wm. J. Brittingham, Esq., came up to the polls and offered to vote. His vote was challenged by this military officer, and it was not until after the oath prescribed by Gen'l S. was administered that the vote was deposited. Then came Arthur Crisfield, Esq., son of Hon. J. W. Crisfield, and offered to vote. Mr. Crisfield was then put through a most minute examination by this Captain, as to his views of the rebellion, the method of suppressing it, as to the character of his loyalty, &c., &c. At this point the Judges of the Election informed

this officer that they could not in this manner carry on the election, as it was in direct violation of the solemn oath they had just taken.

The Captain then arrested the Judges and informed them they would immediately be sent to Baltimore with a military escort. Their reply was, we protest solemnly against this proceeding, but we can make no resistance. At this moment a deep and painful excitement became manifest, and an awful and solemn conviction seemed to pervade the whole assembly present, that the rights of a free, enlightened and loyal people had been most grossly and wontonly violated.

Soon the Judges of Election were taken away by the military, and the polls were closed. Thus resulted the attempt to hold the election in this district. As to the truthfulness, accuracy and impartiality of this statement we can most positively affirm, as we were eye-witnesses to every transaction.

Wednesday, Nov. 4th, 1863.

[Signed]

	A. C. Heaton,
Isaac S. Marshall,	John A. Larmore,
Wm. J. Brittingham,	Henry Page,
Chas. R. W. Long,	Capt. L. Long, Jr.,
E. F. Duer,	B. Hayman Sheriff,
Wm. W. Johnston,	S. C. Long,
J. W. Crisfield,	John H. Stewart.

Joseph H. Smith, } Clerks of
John F. Fisher, } Election.

G. W. Parson's Statement about Election in SALISBURY DISTRICT, SOMERSET CO.

Salisbury, Somerset County, Md., November 5th, 1863.

To His Excellency, A. W. BRADFORD,
Governor of State of Maryland.

Honored and Esteemed Sir:—Pardon what seems an unwarranted liberty in one who has but a slight acquaintance with you, in the statements which I am about to make—but I think it the duty of some one to inform you of the manner in which the election was conducted yesterday in our County, in the face of your Proclamation, which was received and circulated here on the 3d.

The day before the election, 400 cavalry arrived per R. R. in Salisbury, squads of whom were immediately despatched to all the polls in Somerset and Worcester Counties, to enforce the orders of General Schenck. In Princess Anne Election District, the Judges of Election were arrested by the soldiers there stationed—as soon as the polls were opened—because, as I am informed, they claimed the right of administering the "oath" to voters instead of the military doing so. At Salisbury, my own voting place, (which is a fair sample of proceedings at the other polls, as far as heard from,) the polls were opened as usual at 9 o'clock. Immediately thereafter a squad of cavalry were stationed on each side of the approach to the ballot box, with orders from our Provost Marshal "to disregard all orders except General Schenck's No. 53, and strictly to carry this out. Further, to allow but one voter to approach the polls at a time,

and challenge and object to every man's vote unless he offered a yellow colored ticket." This was strictly carried out by the military until 2 o'clock, P. M., when they were relieved from the duty of challenging, and three of the most worthless men in our town, two of whom were drunk, were assigned this duty in their place. When a voter approached with a white ticket, these men endeavored to intimidate him with threats, declaring that he should not come to the polls, and if he did, his ticket should not go into the ballot box, and sworn at by them until compelled to leave in disgust.

Old men of seventy years—the most influential citizens of our town—men whose loyalty has been beyond suspicion, were deterred from casting their votes by the above proceedings, and whenever any one with a white ticket was fortunate enough to get it in the Judge's hand, it was by him opened and examined, and in several cases the votes were not deposited by them, nor the oath administered to the party, although he desired it. This course was sanctioned by the Chief Judge, who administered the oath to and judged of the fitness of each man to that privilege, whilst he was a candidate on one of the tickets for a Judge of the Orphan's Court.

Our Provost Marshal—who, by the way, is a man of no standing in the community—placed in office, I honestly believe, and retained there by certain men for the sole purpose of carrying out their own notions, is the cause of all this trouble. He has not hesitated to say, when under the influence of liquor, that he would carry the Emancipation ticket in Somerset, if it must be done at the point of the bayonet. He habitually insults and abuses, in the *most shameful manner*, peaceable citizens, for no other reason but that they differed with him in opinion. Upon one occasion he closed the Bank in this place because he had a quarrel with one of its officers—upon another, exulting that he had turned the Postmaster out of one office, and would turn him out of another, i. e., his present one, because he would not frank all his correspondence—and committing other acts of petty tyranny in such numbers as to render himself an object of universal contempt and detestation.

I don't know that it is proper for me to write to you in this manner about a public official, but I have not acted unadvisedly in this matter, and it has been principally through the solicitation of friends that I have written at all. What I have stated to you is the truth, and could be substantiated in a Court of Justice, if necessary, by undoubted testimony.

As I before intimated, I have but a slight acquaintance with you, and have presumed to make the within statements, believing that you will, in a spirit of justice and conservatism, grant the people a *fair* expression of sentiment, at least those who have always been identified with the Unionists of Maryland—who are now and have always been willing to sacrifice all they possess, that the Government may be sustained and perpetuated.

I am, with highest respect,

Yours very truly,

GEO. W. PARSONS.

P. S.—I neglected to mention that the Judges of P. A. District, who were ordered here yesterday under arrest, were released by Brig. Gen. Lockwood, who happened to be in town.

G. W. P.

STATEMENT OF JOS. A. PHILLIPS,

Judge of Election in the 1st District of Somerset County.

Statement of Joseph A. Phillips, one of the Judges of Election in the Barren Creek, No. 1, *Election District in Somerset County, Nov.* 4, 1863.

I am one of the Judges of Election of said District, reached the voting place a little before 9 o'clock, A. M. and found a squad of Cavalry on the ground; I was handed the Governor's Proclamation and the Order of Gen. Schenck, and there was a good deal of discussion about what I was to do as Judge; I finally resolved to admit all to vote without swearing unless objected to. During the day Jos. Wright, one of our own citizens, challenged a number of voters on the ground of disloyalty, and to all such the oath prescribed by Gen. Schenck was tendered; those who took the oath were allowed to vote—those who did not were turned down and not allowed to vote. I remember the following persons who were qualified voters who were turned down for that reason—Ralph Rowe, Robert Langsdale, John Wright, Elias W. Taylor, John Hughes, Joseph Bralton, Josephus Venables, Elijah Hatton, Isaac K. Wright, Jno. Bradley and Lambert H. Cooper, and perhaps others. The soldiers being round the polls all day but did not specially interfere. We took about 180 votes; the full vote of the district is between 230 and 240 votes. There were many voters present who did not offer to vote because they feared they would be required to take the said oath.

JOSEPH A. PHILLIPS.

STATEMENT.

Hon. J. W. Crisfield, about Election in SOMERSET,

And protesting against the issue of Commissions, &c.

Princess Anne, Nov. 6, 1863.

To His Excellency, A. W. BRADFORD,
Governor of Maryland.

SIR;—My letter of the 4th inst. informed you in general terms of the arrest of our Judges of Election, by the Military forces of the U. S., and of the outrages which marked the attempt to hold the election on that day. I now enclose statements made by the most reliable gentlemen, who were eye witnesses of the scenes they describe. I invite your most serious attention to these details. There never was a grosser or more flagrant violation of the rights of the citizen, or a greater indignity offered to the State.

I will not assume to suggest what should be done. I am well assured that your wisdom, patriotism and devotion to the honor and interests of Maryland, are equal to the occasion; and that you will promptly adopt such measures, as are demanded for the dignity of the State, and your own honor.

The Judges were released on their arrival at Salisbury, and have returned home, as you will see by their statement enclosed. In the Election returns they have formally stated the facts, and made it a matter of record.

Proceedings equally outrageous marked the day in Worcester, of which the evidence in detail will be laid before you. I presume the same scenes were reproduced in each County on the Shore.

The whole democratic or State's rights ticket in this county is elected, if these proceeding are to be considered as making an election. This singular result proceeded from the fact, that the Military hindered only votes having my name on them. Except in the Salisbury and Tangier Districts, any vote lacking my name passed into the box without question; in these two districts only the yellow or Creswell ticket was allowed to be voted.

The aggregate vote polled is less than two-thirds of a full vote. Those not voting were chiefly conservative Union men, who would have voted if there had been no interference.

I protest most solemnly against these proceedings, and against the issuing of certificates of election, and commissions based upon them, as an individual and a public wrong; and pledge myself to prove in the most formal way all that is stated in the papers now laid before you, whenever an opportunity is offered for that purpose.

I have the honor to be

Yours &c.

J. W. Crisfield.

PROTEST OF SYDNEY C. LONG,

Register of Wills, Somerset County.

Princess Anne, Somerset Co., Md., Nov. 12th, 1863.

To His Excellency,

Hon. Augustus W. Bradford,

Governor of Maryland:

Sydney C. Long, Register of Wills for Somerset county, and a candidate for re-election at the late election, a native and resident of Princess Anne Election District, and for the last seventeen years a qualified voter in said district, being now, as always, a loyal citizen, ever keeping inviolate the oft-taken oath to support the Union, the Constitution, and the laws of his country, and holding in utter horror the lawless defiance of the rights of free citizens of Maryland as practised at the so-called election held on the 4th inst., prays your Excellency the privilege of placing on record this, his solemn protest and remonstrance, against the recognition by your Excellency of said pretended election, deeming it an outrageous contempt of the rights of suffrage, and a desplicable trampling upon the rights of freemen, and for the following, among other reasons, to wit;

First. Because the peaceable and quiet citizens of Somerset county were intimidated from approaching the polls, by the repeated threats of the Deputy Provost Marshals of said county, their aiders and abettors, for days and weeks prior to the election, that they intended to have a military force to guard the polls, and that no one should be allowed to vote for the Hon. John W. Crisfield for Congress, and that they should nominate a ticket for county officers, and elect it by said military force.

Second. Because, when the polls were opened on election day in Somerset County, and some time before, said polls and every approach thereto, were surrounded and taken possession of by a numerous military force of cavalry, armed and equipped with carbines, pistols and sabres, contrary to the public law of Maryland, thus effectually deterring citizens from offering their votes.

Third. Because at said polls, a test oath, ordered by General Schenck, and known as General Order No. 53, was prescribed for persons offering to vote, contrary to the laws of this State, and in direct violation of her Constitution and the 5th and 27th articles of the Bill of Rights, which this remonstrant, however, was willing to take for the sake of peace.

Fourth. Because, at the polls at Princess Anne Election District, a true and loyal citizen, (Mr. Arthur Crisfield) after signifying his willingness to take said oath, was specially and at length interrogated by one Capt. Moore, in command of a squad of military as aforesaid, in defiance of all law and usage, and on the Judges of Election demurring to such proceedings in a respectful manner, said vote was not taken, and they were immediately put under arrest, and taken off by a military escort for Head-Quarters; and the election thus summarily and arbitrarily stopped to the outrageous disfranchisement of every voter (being near 400) within the district, save one, who had voted under the oath.

Fifth. Because said military proceeding was not uniform in the county, and at many of the polls men who were known to be disloyal were allowed and encouraged to vote, without any oath being required, thus creating a preference in their favor over loyal voters.

Sixth. Because, by such proceedings on the part of the military authorities, a stigma has been cast on the fair fame of Somerset, in the election (if it be) of men, nearly every one of whom is a Secessionist or Southern sympathiser, some of whom have been in the South aiding her cause, and two of them been been in military duress for alleged treasonable practices.

And lastly, in his own, and in the name of a large number of the people of Somerset County, the undersigned protests against the recognition of said election by your Excellency, in

a further manner because for the reasons above alleged, it was not *free or fair;* fully one-half of the voters of the county were not allowed to exercise this sacred right, by reason of an armed soldierly guarding the polls, and that therefore said election so-called, was not an election by the people, and being null and void, should not be recognized by your Excellency. Hoping these views may meet your Excellency's approbation,

I have the honor to be,

Your Excellency's humble servant,

SYDNEY C. LONG,

Register of Wills, Somerset Co.

J. H. Tarr's Statement about Election.

Salisbury, Nov. 12th, 1863.

To His Excellency, A. W. Bradford,
Governor of Maryland:

Sir:—Having been called upon to state the condition of affairs at our polls on the 4th inst., I do so most cheerfully. When I approached the window to diposit my ballot, it being on white paper, and also knowing I was favorable to the election of Hon. J. W. Crisfield for Congress, L. D. Collier, Dep. Pro. Marshal, challenged my vote. I enquired upon what ground, he answered I was a Copperhead, and no damned Copperhead should vote that day. He referred me to General Schenck's order, I produced your able and ever to be respected Proclamation, and read it aloud to the Judges, *one of whom was a candidate for Judge of the Orphans' Court*, his reply was damn the Proclamation; I then requested him to define loyalty, stating at the same time I would affirm to the condition of the oath as prescribed—this was refused, and I was ordered away from the polls. I left without voting.

Shortly afterwards, General Lockwood called on me and enquired why I was hanging about the polls, I replied such was not the case; he said he had been informed that I had refused to take the oath; my reply was his information was false. He advised me to refrain from going near the polls. I thanked him for his kindness and complied with his suggestion.

Had my ticket been printed on yellow paper, my vote would have never been challenged.

From the first outbreak to the present moment I have been for the Union, and am still for the Union. I voted for you and

have never regretted it, and with pleasurable delight did I endorse every word contained in your letters in the controversy with Judge Bond. I stand where I have always stood—for the "Union, the Constitution and the enforcement of the Laws," with no sympathy for the rebellion.

The election was controlled by this man Collier, whose brother-in-law, Col. Graham, was a candidate for the Circuit Court Clerkship, and had his man here to force upon the people his election.

I am, respectfully yours, &c.,

J. H. TARR.

D. A. BENJAMIN'S AFFIDAVIT,

About Colonel Tevis' proceedings in Kent County.

State of Maryland, Kent County, to wit:

On this 25th of November 1863, personally appeared David A. Benjamin, of Kent county, the Jailor of said county, and a Deputy Sheriff of said county, and living in the Jail with his family, before me the subscriber, a Justice of the Peace of the State of Maryland for said county, and made oath on the Holy Evangely of Almighty God, that on Monday afternoon, Nov. 2d, 1863, about three or four o'clock, Col. J. C. Tevis, then in command of the United States troops at Chestertown, at the Hotel of J. O. Rasin, in said town, told deponent thathe understood that he had three negro men in jail under suspicion; deponent replied that there were three negro men in jail under Indictment by the Grand Jury—said Col. Tevis then handed deponent an order or paper for the release of said prisoners, signed by himself, which he took back and never returned it to this deponent. While Col. Tevis was making a copy of the order for the release of the negroes, John Frazier, Jr. touched him (Tevis) upon the arm, and took him into the passage of the hotel where they conversed for a short time; when Col. Tevis returned to the room and inquired of deponent if his name was Benjamin, and on deponent's replying in the affirmative, Col. Tevis said he had an order for deponent's arrest; deponent was sent off under a file of soldiers, and committed to jail and locked up, and the said prisoners released. Deponent asked to have an interview with his wife, that he might quiet her fears, as she was distressed—he was soon forced off from her presence, and he and she treated rudely.

That about 8 o'clock at night he was removed to the lower cabin of a Steamboat at the wharf, where he was detained all night and next day, and sent to Baltimore in said steamer about 3 o'clock p. m., on Tuesday evening, and arrived there between 9 and 10 o'clock at night, and discharged about 11 at night. Deponent asked Col. Tevis what he was arrested for, and received no satisfaction, but simply the reply that he had an order for his arrest. When deponent arrived in Baltimore, no charge was made, and Col. Donn Piatt remarked that he was surprised to see so many persons, and that Col. Tevis had no authority to make any arrests till after the election.

This deponent had always been a Union man, and had never wavered in his support of the Government and his loyalty was never questioned. Prior to the arrest he had been a friend of Gen. Goldsborough and Col. Creswell, and advocated their election, and that his feelings were so ardent and warm in his advocacy of the government and opposition to the rebellion, that he has lost the patronage of several friends in his business of smithing, who thought he was too extreme in his views and support of the government. Deponent paid for one meal on board the boat; some of the other prisoners on board paid for several meals; the families of some of the gentlemen confined with deponent, sent provisions to the boat, which were used in common.

Sworn before

C. T. Lusby,

Justice of the Peace.

STATEMENT.

Charles Cole, Frederick.

Frederick, Md., Nov. 6th, 1863.

To His Excellency, A. W. Bradford,
Governor of Maryland:

My Dear Sir:—Every honorable man in this community, having a knowledge of the outrageous frauds perpetrated at the election in this city on Wednesday last, with whom I have conversed upon the subject, concurs with me that proper representations concerning them should be made to your Excellency, in order that the commissions of those who may *seem* to be elected by the returns, may be withheld, if it be in your power to do so. All those to whom I refer, believe you would be perfectly justifiable in refusing to commission men who obtained a majority of the votes by fraudulent means.

Enclosed is a certificate from Lewis F. Wachter, a highly respectable farmer of Frederick Election District, showing how he was treated on election day, and compelled to vote against his sentiments. I saw that man pushed from the voting place and kicked at as he was descending the steps leading into the Court House, where the polls were held, and after he had retired a short distance, I saw the same soldier who kicked at him, seize him by the arm, thrust an "Unconditional Ticket" into his hand, and with the assistance of another soldier, compel him to return and vote the ticket which had been placed in his hand!

I saw men, who I knew to be legal voters, refused their votes, because they would not take the oath prescribed by General

Schenck, and have heard of many who were intimidated and remained away from the polls!

I saw one man offer to vote the Conservative Union ticket, who was objected to by soldiers, and because he would not take General Schenck's oath, retire from the polls; and I saw the same soldiers who objected to his vote, follow him up and place an "Unconditional Union" ticket in his hands, and offer to let him vote, if he would vote the ticket which they gave him!

I saw soldiers voting, who, I am satisfied, are non-residents, and heard of others who voted four or five times!

An old gentleman told me that he was denied his vote because he refused to take General Schenck's oath, though he had voted for sixty years before!

I am informed that soldiers from the Hospital, and the Hospital Surgeons, some of whom are only sojourners, also voted on Wednesday last!

Your Proclamation, to the citizens and Election Judges of our State, did not seem to be more regarded by the Election Judges at these polls, than if it had never been issued. They seem to have been controlled almost entirely by the military at the polls and General Schenck's arbitrary and illegal orders.

At the Presidential election in 1860, the aggregate vote polled at the Frederick polls was 1,703, and the legal is now about 2,000, yet on Wednesday last, notwithstanding all the double voting and frauds upon the ballot box, only 1,198 were cast, of which Maffit received 115 and Goldsborough 1,083! From all the information I can gather, the election in the other Districts of our County was conducted pretty much as it was at the Frederick polls.

The outrages committed on private rights and the ballot box on Wednesday last, are of such a flagrant character as to call for prompt redress, and I feel assured that your Excellency will give the matter the attention which it so richly merits.

Enclosed I send you the comments of the "*Republican Citizen*," of this city, on the election of Wednesday last.

Your obd't serv't,

CHARLES COLE.

[COPY.]

I hereby certify that I offered to vote the Conservative Union ticket at the North polls, in the City of Frederick, on Wednesday the 4th day of November, 1863, and that a soldier objected to my voting on the ground of disloyalty; that my ticket was taken from my hand at the same time by a soldier, and that I left the polls, and had not proceeded farther than 30 or 40 feet before a soldier, whose name I am informed is Marcellus Shaffner, came up to me and said: "*Here, you are entitled to a vote, now come and vote,*" at the same time putting an Unconditional ticket into my hand, and seizing me by one of my arms, and another soldier by the other, I was forced again back to the polls through fear of personal violence, and compelled to vote against my sentiments.

To the truth of this statement I am willing to make affidavit whenever it may be necessary, and hereto subscribe my name, this fourth day of November, 1863.

LEWIS F. WACHTER.

Mr. Wachter is in the 29th year of his age, and resides about 6 miles N. W. of Frederick.

PROCLAMATION

ISSUED BY

Lt. Colonel Tevis, at Chestertown,

On 2d November, 1863.

Hd. Qrs. 3d Maryland Cavalry,
Chestertown, Nov. 2d, 1863.

Whereas, the President of the United States, in reply to a letter addressed to him by Hon. Thomas Swan, of Baltimore City, has stated that all loyal qualified voters should have a right to vote, it therefore becomes every truly loyal citizen to avail himself of the present opportunity offered to place himself honorably upon the record or poll books at the approaching election, by giving a full and ardent support to the whole Government ticket, upon the platform adopted by the Union League Convention. None other is recognized by the Federal authorities as loyal or worthy of the support of any one who desires the peace and restoration of this Union.

[Signed] Charles Carroll Tevis,
Lt. Colonel Commanding.

COMPTROLLER'S REPORT,
1863.